JOURNAL

OF THE

REGULAR SESSION

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Begun and Held in the City of Frankfort, the Fourth Day of January, in the Year of Our Lord 1916, and of the Commonwealth One Hundred and Twenty-four.

PROPERTY OF THE STATE OF KENTUCKY

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 4, 1916.

At a General Assembly of the Commonwealth of Kentucky, began and held at the Capitol, in the city of Frankfort, on Tuesday, the 4th day of January, in the year of our Lord, one thousand nine hundred and sixteen, and the one hundred and twenty-fourth year of the Commonwealth, that being the day fixed by the Constitution for the meeting thereof, Eli Berry, Chief Clerk of the House of Representatives last passed, called the House to order, and after prayer by the Rev. John J. Gravatt, Pastor of the Episcopal Church, of the City of Frankfort, produced and read the following certificate from the Secretary of State, viz.:

COMMONWEALTH OF KENTUCKY,
OFFICE OF THE SECRETARY OF STATE.

I, James P. Lewis, Secretary of State for the Commonwealth of Kentucky, certify that the attached list of Representatives is a true and correct list of the Representatives-elect of Kentucky as appears from the official election returns of the various Legislative Districts of Kentucky, now on record in this office.

JAMES P. LEWIS,
Secretary of State.

January 4th, 1916.

17155

MEMBERS OF HOUSE OF REPRESENTATIVES—1916

Adair and Cumberland—L. T. Neat (R), Columbia, Ky.
Allen—A. J. Oliver (R), Scottsville, Ky.
Anderson—W. E. Dowling, Lawrenceburg, Ky.
Ballard and Carlisle—T. T. Gardner, Bardwell, Ky.
Barren—Wood Vance, Cave City, Ky.
Bath and Rowan—Bannie Tabor (R), Morehead, Ky.
Bell, Harlan, Leslie and Perry—G. G. Brashear (R), Viper, Ky.
Boone—W. P. Cropper, Petersburg, Ky.
Bourbon—R. B. Hutchcraft, Jr., Paris, Ky.
Boyd and Lawrence—J. H. Thompson (R), Louisa, Ky.
Boyle—Claude D. Minor, Perryville, Ky.
Bracken—B. F. McAtee, Augusta, Ky.
Breathitt, Lee and Magoffin—R. B. Jackson (R), Beattyville, Ky.
Breckinridge—Henry A. Cannon (R), Madrid, Ky.
Bullitt and Spencer—John W. Snider, Taylorsville, Ky.
Butler and Edmonson—Charles D. Bratcher (R), Roundhill, Ky.
Caldwell—W. H. Jones (R), Princeton, Ky.
Calloway—T. R. Jones, Murray, Ky.
Campbell, 83d District—Peter Ampler, Newport, Ky.
Campbell, 84th District—Jacob Metzger (R), Newport, Ky.
Carroll and Gallatin—Frank C. Greene, Carrollton, Ky.
Carter and Elliott—Wm. Gearheart (R), Cann, Ky.
Casey and Russell—J. W. Wall (R), Humphrey, Ky.
Christian—R. A. Cook (R), Hopkinsville, Ky.
Clark—J. D. Wills, Winchester, Ky.
Clay, Jackson and Owsley—C. H. Grimes (R), Caution, Ky.
Clinton and Wayne—W. C. Allen (R), Albany, Ky.
Crittenden and Livingston—Ed. D. Stone (R), Marion, Ky.
Daviess, City District—James S. Cruse (R), Owensboro, Ky.
Daviess, County District—Louis Yewell, Owensboro, Ky.
Estill and Powell—E. B. McGlone (R), Clay City, Ky.

Fayette, City District—W. C. G. Hobbs, Lexington, Ky.
Fayette, County District—C. B. Nichols, Lexington, Ky.
Fleming—J. D. Pumphrey, Flemingsburg, Ky.
Floyd, Knott and Letcher—John S. Webb, Thornton, Ky.
Franklin—L. B. Hamilton, Frankfort, Ky.
Fulton and Hickman—W. J. McMurray, Hickman, Ky.
Garrard—H. Clay Kauffman, Lancaster, Ky.
Grant—J. M. Elliston, Elliston, Ky.
Graves—John T. Roach, Dukedom, Tenn.
Grayson—Thomas Spurrier (R), Caneyville, Ky.
Green and Taylor—J. S. Hall (R), Spurlington, Ky.
Greenup—A. S. Cooper (R), Greenup, Ky.
Hancock—W. H. Brown (R), Hawesville, Ky.
Hardin—M. E. Lee, Elizabethtown, Ky.
Harrison—H. C. Duffy, Cynthiana, Ky.
Hart—W. R. Lyon (R), Horse Cave, Ky.
Henderson—Odie Duncan, Henderson, Ky.
Henry—Richard Radcliffe, Pleasureville, Ky.
Hopkins—H. F. S. Bailey, Madisonville, Ky.
Jefferson, 44th District—Thomas A. Dover (R), Louisville, Ky.
Jefferson, 45th District—Geo. B. Barrett, Louisville, Ky.
Jefferson, 46th District—Adam Spahn, Louisville, Ky.
Jefferson, 47th District—Wm. J. Kuh, Louisville, Ky.
Jefferson, 48th District—S. Mayzck O'Brien, Louisville, Ky.
Jefferson, 49th District—William A. Perry, Louisville, Ky.
Jefferson, 50th District—Lewis Ryans (R), Louisville, Ky.
Jefferson, 51st District—William Duffy, Louisville, Ky.
Jessamine—Jas. R. Dorman, High Bridge, Ky.
Johnson and Martin—W. M. Webb (R), Paintsville, Ky.
Kenton, 80th District—John T. Murphy, Covington, Ky.
Kenton, 81st District—W. A. Price, Covington, Ky.
Kenton, 82nd District—Harry J. Meyers, Covington, Ky.
Knox and Whitley—C. H. Bays (R), Warren, Ky.
Larue—J. M. Howell, Malt, Ky.
Laurel and Rockcastle—E. Bullock (R), Hansford, Ky.

Lewis—M. O. Wilson (R), Vanceburg, Ky.
Lincoln—W. G. Gooch, Stanford, Ky.
Logan—W. T. Lasley, Lewisburg, Ky.
Lyon and Marshall—J. M. Johnson, Benton, Ky.
Madison—G. B. Moores (R), Waco, Ky.
Marion—Chas. L. Hunter, Lebanon, Ky.
Mason—Harry P. Purnell (R), Maysville, Ky.
McCracken—Robt. R. Treadway (R), Paducah, Ky.
McCreary and Pulaski—R. C. Tartar (R), Somerset, Ky.
McLean—Glover H. Cary, Calhoun, Ky.
Meade—D. S. Richardson, Brandenburg, Ky.
Mercer—L. Meriwether Smith, Harrodsburg, Ky.
Metcalfe and Monroe—Frank M. White (R), Tompkinsville, Ky.
Montgomery and Menifee—A. B. Pieratt, Mt. Sterling, Ky.
Morgan and Wolfe—D. Boone Tyra, Stillwater, Ky.
Muhlenberg—E. S. Wood (R), Greenville, Ky.
Nelson—Frank J. Brown, Bloomfield, Ky.
Nicholas and Robertson—Dr. C. W. Mathers, Millersburg, Ky.
Ohio—L. L. Embry (R), Baizetown, Ky.
Oldham and Trimble—R. T. Crowe, Lagrange, Ky.
Owen—Staiar Montgomery, Owenton, Ky.
Pendleton—Harry C. Cummins, Falmouth, Ky.
Pike—F. C. Trivette (R), Pikeville, Ky.
Scott—E. D. Smith, Georgetown, Ky.
Shelby—Geo. L. Pickett, Shelbyville, Ky.
Simpson—Claude B. Smith, Franklin, Ky.
Todd—S. B. Coleman, Elkton, Ky.
Trigg—A. B. Holland, Cadiz, Ky., R. R. 4.
Union—Dr. J. E. Lilly, Uniontown, Ky.
Warren, City District—Joe Schneider, Bowling Green, Ky.
Warren, County District—E. G. Young, Richardsville, Ky.
Washington—J. R. Durham, Springfield, Ky.
Webster—W. B. Harvey, Dixon, Ky.
Woodford—David J. Howard, Varsailles, Ky.

The roll of members was called and the following members answered to their names, viz.:

W. C. Allen
Peter Ampler
H. F. S. Bailey
Geo. B. Barrett
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
R. A. Cook
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
H. C. Duffy
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
Bannie Tabor
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
F. C. Trivette
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—100

The oath of office was then administered to each and all of said members by Justice Gus Thomas, of the Court of Appeals.

The said Chief Clerk then announced that the election of a Speaker of the House of Representatives was in order.

Mr. Frank C. Greene named Hon. H. C. Duffy of the county of Harrison as a suitable person to fill said office.

Mr. R. C. Tartar named Hon. A. J. Oliver of the county of Allen as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Mr. Duffy were—

Peter Ampler
H. F. S. Bailey
Geo. B. Barrett
Frank J. Brown
Glover H. Cary
S. B. Coleman
W. P Cropper
R. T. Crowe
H. C. Cummins
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
W. G. Gooch
Frank C. Greene
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Harry J. Meyers
Claude D. Minor
S. Montgomery
John T. Murphy
B. F. McAtee
W. J. McMurray
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
D. B. Tyra
J. Wood Vance
John S. Webb
J. D. Wills
Louis E. Yewell
E. G. Young

—63

Those who voted for Mr. Oliver were—

W. C. Allen	Wm. Gearheart	Ed. D. Stone
C. H. Bays	C. H. Grimes	Bannie Tabor
Chas. D. Bratcher	J. S. Hall	R. C. Tartar
G. G. Brashear	R. B. Jackson	J. H. Thompson
W. H. Brown	W. H. Jones	Robt. R. Treadway
E. Bullock	W. R. Lyon	F. C. Trivette
Henry A. Cannon	Jacob Metzger	J. W. Wall
R. A. Cook	G. B. Moores	W. M. Webb
A. S. Cooper	E. B. McGlone	Frank M. White
James S. Cruse	L. T. Neat	M. O. Wilson
Thomas A. Dover	Harry P. Purnell	E. S. Wood
H. C. Duffy	Lewis Ryans	
L. L. Emprey	Thomas Spurrier	—37

Mr. H. C. Duffy having received a majority of the votes cast, a majority of all the members elected being present and voting, was declared duly elected Speaker of the House of Representatives.

The Clerk aforesaid appointed Messrs. Frank C. Greene and S. Mayzck O'Brien a committee to inform the Speaker-elect of the action of the House and to escort him to the chair.

The Speaker returned his thanks to the House for the honor conferred, recommended and urged the proper observance of order and decorum and announced that he was ready to take the oath of office, which said oath was administered to him by the Hon. Rodman W. Keenon, Clerk of the Court of Appeals.

The Speaker then announced that the next order of business was the election of a Chief Clerk of this House.

Mr. Frank C. Greene named Eli Berry of the city of Owensboro, Ky., as a suitable person to fill said office.

Mr. R. C. Tartar named Charles O. Browse as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Mr. Berry were—

Peter Ampler
H. F. S. Bailey
Geo. B. Barrett
Frank J. Brown
Glover H. Cary
S. B. Coleman
W. P. Cropper
R. T. Crowe
H. C. Cummins
Jas. R. Dorman
W. E. Dowling
H. C. Duffy
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
W. G. Gooch
Frank C. Greene
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Harry J. Meyers
Claude D. Minor
S. Montgomery
John T. Murphy
B. F. McAtee
W. J. McMurray
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
John W. Snider
Adam Spahn
D. B. Tyra
J. Wood Vance
John S. Webb
J. D. Wills
Louis E. Yewell
E. G. Young
—62

Those who voted for Mr. Browse were—

W. C. Allen
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
W. H. Brown
E. Bullock
Henry A. Cannon
R. A. Cook
James S. Cruse

Thomas A. Dover	E. B. McGlone	Robt. R. Treadway
L. L. Embrey	L. T. Neat	F. C. Trivette
Wm. Gearheart	A. J. Oliver	J. W. Wall
C. H. Grimes	Harry P. Purnell	W. M. Webb
J. S. Hall	Lewis Ryans	Frank M. White
R. B. Jackson	Thomas Spurrier	M. O. Wilson
W. H. Jones	Ed. D. Stone	E. S. Wood
W. R. Lyon	Bannie Tabor	
Jacob Metzger	R. C. Tartar	
G. B. Moores	J. H. Thompson	—36

The Speaker then announced that the next order of business was the election of an Assistant Clerk of the House.

Mr. Frank C. Greene named Wm. Oscar Wicker of the county of Crittenden as a suitable person to fill said office.

Mr. R. C. Tartar named C. D. Stamper as a suitable person to fill said office.

The vote being taken between those named, resulted as follows, viz.:

Those who voted for Mr. Wicker were—

Peter Ampler	J. R. Durham	J. M. Johnson
H. F. S. Bailey	J. M. Elliston	T. R. Jones
Geo. B. Barrett	T. T. Gardner	H. Clay Kauffman
Frank J. Brown	W. G. Gooch	Wm. J. Kuh
Glover H. Cary	Frank C. Greene	W. T. Lasley
S. B. Coleman	L. B. Hamilton	M. E. Lee
W. P. Cropper	W. B. Harvey	Dr. J. E. Lilly
R. T. Crowe	W. C. G. Hobbs	Dr. C. W. Mathers
Jas. R. Dorman	A. B. Holland	Harry J. Meyers
W. E. Dowling	David J. Howard	Claude D. Minor
H. C. Duffy	J. M. Howell	S. Montgomery
William Duffy	Chas. L. Hunter	B. F. McAtee
Odie Duncan	R.B.Hutchcraft,Jr.	W. J. McMurray

C. B. Nichols	D. S. Richardson	D. B. Tyra
S. Mazyck O'Brien	John T. Roach	J. Wood Vance
William A. Perry	Joe Schneider	John S. Webb
Geo. L. Pickett	L. M. Smith	J. D. Wills
A. B. Pieratt	E. D. Smith	Louis E. Yewell
W. A. Price	Claude B. Smith	E. G. Young
J. D. Pumphrey	John W. Snider	
Richard Radcliffe	Adam Spahn	—61

Those who voted for Mr. Stamper were—

W. C. Allen	R. B. Jackson	Ed. D. Stone
G. G. Brashear	W. H. Jones	Bannie Tabor
W. H. Brown	W. R. Lyon	R. C. Tartar
E. Bullock	Jacob Metzger	J. H. Thompson
Henry A. Cannon	G. B. Moores	Robt. R. Treadway
A. S. Cooper	E. B. McGlone	F. C. Trivette
James S. Cruse	L. T. Neat	J. W. Wall
Thomas A. Dover	A. J. Oliver	W. M. Webb
Wm. Gearheart	Harry P. Purnell	Frank M. White
C. H. Grimes	Lewis Ryans	M. O. Wilson
J. S. Hall	Thomas Spurrier	E. S. Wood
		—33

The Speaker then announced that the next order of business was the election of an Enrolling Clerk of this House.

Mr. Frank C. Greene named Mrs. William Cromwell, of Franklin county, as a suitable person to fill said office.

Mr. A. J. Oliver moved that Mrs. William Cromwell be elected by acclamation.

Mr. R. C. Tartar named Miss Amelia Ellen Richardson, of Pulaski County, as a suitable person to fill said office of Enrolling Clerk.

The vote being taken between those named resulted as follows, viz.:

Those voting for Mrs. Cromwell were—

Peter Ampler	A. B. Holland	S. Mazyck O'Brien
H. F. S. Bailey	David J. Howard	William A. Perry
Geo. B. Barrett	J. M. Howell	Geo. L. Pickett
Frank J. Brown	Chas. L. Hunter	A. B. Pieratt
Glover H. Cary	R.B.Hutchcraft,Jr.	W. A. Price
A. S. Cooper	J. M. Johnson	J. D. Pumphrey
S. B. Coleman	T. R. Jones	Richard Radcliffe
W. P. Cropper	W. H. Jones	D. S. Richardson
R. T. Crowe	H. Clay Kauffman	John T. Roach
H. C. Cummins	Wm. J. Kuh	Joe Schneider
Jas. R. Dorman	W. T. Lasley	L. M. Smith
Thomas A. Dover	M. E. Lee	E. D. Smith
W. E. Dowling	Dr. J. E. Lilly	Claude B. Smith
H. C. Duffy	Dr. C. W. Mathers	John W. Snider
William Duffy	Harry J. Meyers	Adam Spahn
Odie Duncan	Claude D. Minor	J. H. Thompson
J. R. Durham	S. Montgomery	D. B. Tyra
T. T. Gardner	G. B. Moores	J. Wood Vance
W. G. Gooch	John T. Murphy	John S. Webb
Frank C. Greene	B. F. McAtee	J. D. Wills
L. B. Hamilton	E. B. McGlone	Louis E. Yewell
W. B. Harvey	W. J. McMurray	E. G. Young
W. C. G. Hobbs	C. B. Nichols	—68

Those who voted for Miss Richardson were—

W. C. Allen	Thomas Spurrier	W. M. Webb
E. Bullock	Ed. D. Stone	Frank M. White
Wm. Gearheart	Bannie Tabor	M. O. Wilson
C. H. Grimes	R. C. Tartar	
Jacob Metzger	Robt. R. Treadway	
A. J. Oliver	F. C. Trivette	
Lewis Ryans	J. W. Wall	—17

The Speaker then announced that the next order of business was the election of a Sergeant-at-Arms of this House.

Mr. Frank C. Greene named Jeff D. Bowman, of the county of Boyle, as a suitable person to fill said office.

Mr. A. J. Oliver moved that the Chief Clerk be directed to cast the vote of all the members of this House for Jeff D. Bowman for Sergeant-at-Arms.

Mr. R. C. Tartar named Fred Cross, of the city of Louisville, Ky., as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Mr. Bowman were—

Peter Ampler
H. F. S. Bailey
Geo. B. Barrett
C. H. Bays
Frank J. Brown
Glover H. Cary
S. B. Coleman
W. P. Cropper
R. T. Crowe
Jas. R. Dorman
W. E. Dowling
William Duffy
J. R. Durham
J. M. Elliston
T. T. Gardner
W. G. Gooch
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Harry J. Meyers
Claude D. Minor
S. Montgomery
John T. Murphy
B. F. McAtee
W. J. McMurray
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
Adam Spahn
D. B. Tyra
J. Wood Vance
John S. Webb
J. D. Wills
Louis E. Yewell
E. G. Young

—60

Those who voted for Mr. Cross were—

E. Bullock	Harry P. Purnell	F. C. Trivette
James S. Cruse	Lewis Ryans	J. W. Wall
Wm. Gearheart	Thomas Spurrier	W. M. Webb
R. B. Jackson	Ed. D. Stone	Frank M. White
Jacob Metzger	Bannie Tabor	M. O. Wilson
G. B. Moores	R. C. Tartar	E. S. Wood
L. T. Neat	J. H. Thompson	
A. J. Oliver	Robt. R. Treadway	—22

The Speaker then announced that the next order of business was the election of a Doorkeeper of this House.

Mr. Frank C. Greene named Fred G. Bauer, of the city of Louisville, Ky., as a suitable person to fill said office.

Mr. R. C. Tartar named William Wells, of the county of Perry, as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Mr. Bauer were—

Peter Ampler	J. R. Durham	T. R. Jones
H. F. S. Bailey	J. M. Elliston	H. Clay Kauffman
Geo. B. Barrett	T. T. Gardner	Wm. J. Kuh
Frank J. Brown	W. G. Gooch	W. T. Lasley
Glover H. Cary	Frank C. Greene	M. E. Lee
S. B. Coleman	L. B. Hamilton	Dr. J. E. Lilly
W. P. Cropper	W. B. Harvey	Dr. C. W. Mathers
R. T. Crowe	A. B. Holland	Harry J. Meyers
H. C. Cummins	David J. Howard	Claude D. Minor
Jas. R. Dorman	J. M. Howell	S. Montgomery
W. E. Dowling	Chas. L. Hunter	John T. Murphy
William Duffy	R.B.Hutchcraft,Jr.	B. F. McAtee
Odie Duncan	J. M. Johnson	W. J. McMurray

C. B. Nichols	D. S. Richardson	D. B. Tyra
S. Mazyck O'Brien	John T. Roach	J. Wood Vance
William A. Perry	Joe Schneider	John S. Webb
Geo. L. Pickett	L. M. Smith	J. D. Wills
A. B. Pieratt	E. D. Smith	Louis E. Yewell
W. A. Price	Claude B. Smith	E. G. Young
J. D. Pumphrey	John W. Snider	
Richard Radcliffe	Adam Spahn	—61

Those who voted for Mr. Wells were—

W. C. Allen	C. H. Grimes	R. C. Tartar
Chas. D. Bratcher	J. S. Hall	J. H. Thompson
G. G. Brashear	R. B. Jackson	Robt. R. Treadway
W. H. Brown	W. H. Jones	F. C. Trivette
E. Bullock	Jacob Metzger	J. W. Wall
Henry A. Cannon	G. B. Moores	W. M. Webb
R. A. Cook	Harry P. Purnell	Frank M. White
James S. Cruse	Lewis Ryans	M. O. Wilson
Thomas A. Dover	Thomas Spurrier	E. S. Wood
L. L. Embrey	Ed. D. Stone	
Wm. Gearheart	Bannie Tabor	—31

The Speaker then announced that the next order of business was the election of a Janitor.

Mr. Frank C. Greene named S. Tilden Booth, of the county of Carroll, as a suitable person to fill said office.

Mr. R. C. Tartar named Clarence Jackson, of the county of Fayette, as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those voting for Mr. Booth were—

Peter Ampler	A. B. Holland	William A. Perry
H. F. S. Bailey	David J. Howard	A. B. Pieratt
Geo. B. Barrett	J. M. Howell	W. A. Price
Frank J. Brown	Chas. L. Hunter	J. D. Pumphrey
Glover H. Cary	R.B.Hutchcraft,Jr.	Richard Radcliffe
S. B. Coleman	J. M. Johnson	D. S. Richardson
W. P. Cropper	T. R. Jones	John T. Roach
R. T. Crowe	H. Clay Kauffman	Joe Schneider
H. C. Cummins	Wm. J. Kuh	L. M. Smith
Jas. R. Dorman	W. T. Lasley	E. D. Smith
W. E. Dowling	M. E. Lee	Claude B. Smith
William Duffy	Dr. J. E. Lilly	John W. Snider
Odie Duncan	Dr. C. W. Mathers	D. B. Tyra
J. R. Durham	Harry J. Meyers	J. Wood Vance
J. M. Elliston	Claude D. Minor	John S. Webb
T. T. Gardner	John T. Murphy	J. D. Wills
W. G. Gooch	B. F. McAtee	Louis E. Yewell
Frank C. Greene	W. J. McMurray	E. G. Young
L. B. Hamilton	C. B. Nichols	
W. C. G. Hobbs	S. Mazyck O'Brien	—58

Those voting for Mr. Jackson were—

W. C. Allen	C. H. Grimes	R. C. Tartar
Chas. D. Bratcher	W. H. Jones	J. H. Thompson
G. G. Brashear	Jacob Metzger	Robt. R. Treadway
W. H. Brown	G. B. Moores	F. C. Trivette
E. Bullock	E. B. McGlone	J. W. Wall
Henry A. Cannon	A. J. Oliver	W. M. Webb
R. A. Cook	Harry P. Purnell	Frank M. White
James S. Cruse	Lewis Ryans	M. O. Wilson
Thomas A. Dover	Thomas Spurrier	E. S. Wood
L. L. Embrey	Ed. D. Stone	
Wm. Gearheart	Bannie Tabor	—31

The Speaker then announced that the next order of bus-

iness was the election of two Cloakroom Keepers of this House.

Mr. Frank C. Greene named Messrs. Homer Spillman, of the county of Trimble, and Roy Duncan, of the county of Henderson, as suitable persons to fill said office.

Mr. Robt. R. Treadway named Messrs. Tip Langford, of Rockcastle county, and Wells Heath, of McCracken county, as suitable persons to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those voting for Messrs. Spillman and Duncan were—

Peter Ampler	David J. Howard	Geo. L. Pickett
H. F. S. Bailey	J. M. Howell	A. B. Pieratt
Geo. B. Barrett	Chas. L. Hunter	W. A. Price
Frank J. Brown	R.B.Hutchcraft,Jr.	J. D. Pumphrey
Glover H. Cary	J M. Johnson	Richard Radcliffe
S. B. Coleman	T. R. Jones	D. S. Richardson
W. P. Cropper	H. Clay Kauffman	John T. Roach
R. T. Crowe	Wm. J. Kuh	Joe Schneider
H. C. Cummins	W. T. Lasley	L. M. Smith
Jas. R. Dorman	M. E. Lee	E. D. Smith
W. E. Dowling	Dr. J. E. Lilly	Claude B. Smith
William Dufty	Harry J. Meyers	John W. Snider
J. R. Durham	Claude D. Minor	Adam Spahn
J. M. Elliston	John T. Murphy	D. B. Tyra
T. T. Gardner	B. F. McAtee	J. Wood Vance
W. G. Gooch	W. J. McMurray	John S. Webb
Frank C. Greene	C. B. Nichols	J. D. Wills
L. B. Hamilton	S. Mazyck O'Brien	Louis E. Yewell
A. B. Holland	William A. Perry	E. G. Young

—57

Those voting for Messrs. Langford and Heath were—

W. C. Allen	Wm. Dearheart	Thomas Spurrier
Chas. D. Bratcher	C. H. Grimes	Ed. D. Stone
G. G. Brashear	R. B. Jackson	Bannie Tabor
W. H. Brown	W. H. Jones	R. C. Tartar
E. Bullock	Jacob Metzger	J. H. Thompson
Henry A. Cannon	G. B. Moores	Robt. R. Treadway
R. A. Cook	E. B. McGlone	F. C. Trivette
A. S. Cooper	L. T. Neat	J. W. Wall
James S. Cruse	A. J. Oliver	W. M. Webb
Thomas A. Dover	Harry P. Purnell	Frank M. White
L. L. Embrey	Lewis Ryans	E. S. Wood

—33

The Speaker then announced that the next order of business was the election of four Pages.

Mr. Frank C. Greene named Messrs. James Richardson, of the county of Meade; Charles Denham, of the county of Calloway; Harold 'Onstatt, of the county of Garrard, and L. B. Webb of the county of Letcher, as suitable persons to fill said office.

Mr. R. C. Tartar named Messrs. Orville Bratcher, of the county of Butler; Jordan White, of the county of Monroe; Brown Burdine, of the county of Pulaski, and Hobart Travis, of the county of Crittenden, as suitable persons to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those voting for Messrs. Richardson, Denham, Onstatt and Webb were—

Peter Ampler	A. B. Holland	William A. Perry
H. F. S. Bailey	David J. Howard	Geo. L. Pickett
Geo. B. Barrett	J. M. Howell	A. B. Pieratt
Frank J. Brown	Chas. L. Hunter	W. A. Price
Glover H. Cary	R.B.Hutchcraft,Jr.	J. D. Pumphrey
S. B. Coleman	J. M. Johnson	Richard Radcliffe
W. P. Cropper	T. R. Jones	D. S. Richardson
R. T. Crowe	H. Clay Kauffman	John T. Roach
H. C. Cummins	Wm. J. Kuh	Joe Schneider
Jas. R. Dorman	W. T. Lasley	L. M. Smith
W. E. Dowling	M. E. Lee	Claude B. Smith
William Duffy	Dr. J. E. Lilly	John W. Snider
Odie Duncan	Dr. C. W. Mathers	Adam Spahn
J. R. Durham	Harry J. Meyers	D. B. Tyra
J. M. Elliston	Claude D. Minor	J. Wood Vance
T. T. Gardner	B. F. McAtee	John S. Webb
W. G. Gooch	W. J. McMurray	J. D. Wills
Frank C. Greene	C. B. Nichols	Louis E. Yewell
L. B. Hamilton	S. Mazyck O'Brien	E. G. Young

—57

Those voting for Messrs. Bratcher, White, Burdine and Travis were—

W. C. Allen	C. H. Grimes	Thomas Spurrier
Chas. D. Bratcher	J. S. Hall	Ed. D. Stone
W. H. Brown	R. B. Jackson	Bannie Tabor
E. Bullock	W. H. Jones	R. C. Tartar
Henry A. Cannon	Jacob Metzger	J. H. Thompson
R. A. Cook	G. B. Moores	Robt. R. Treadway
James S. Cruse	E. B. McGlone	F. C. Trivette
Thomas A. Dover	L. T. Neat	J. W. Wall
L. L. Embrey	Harry P. Purnell	Frank M. White
Wm. Gearheart	Lewis Ryans	E. S. Wood

—30

All of the aforesaid officers elected by the House took the oath of office as required by the Constitution and laws of Kentucky, which was administered by the Hon. Rodman W. Keenon, Clerk of the Court of Appeals.

A message was received from the Senate through a committee composed of Senators Speer, Frost and Scott, announcing that the Senate was now organized and ready for the transaction of business.

Mr. Kauffman moved that the Speaker appoint a committee of three members of this House to notify the Senate that this House of Representatives is fully organized and ready to proceed with the business of this General Assembly, and that said committee act in conjunction with a similar committee of the Senate to inform the Governor that this General Assembly is fully organized and ready for business and ready to receive any communication he may desire to make.

Said motion was agreed to.

Thereupon the Speaker appointed as said committee Messrs. Kauffman, Pickett and Brown.

Said committee retired and after a time, reported that they had performed that duty, and that the Governor had informed them that he would in due time transmit to this House a communication in writing.

Mr. C. D. Minor offered the following resolution, viz.:

Resolved, that the rules which controlled and governed this House of Representatives during the General Assembly of 1914, shall be, and they are hereby declared to be the rules governing the House until the adoption of the report of the Committee on Rules.

Which was adopted.

Mr. R. B. Hutchcraft, Jr., offered the following resolution, viz.:

Resolved, that the Speaker be authorized to appoint a Committee on Rules composed of thirteen members, of which the Speaker shall be ex-officio a member and chairman.

Which was adopted.

Mr. W. B. Harvey offered the following resolution, viz.:

Resolved, that the several ministers of the gospel, pastors of the churches of the city of Frankfort, are hereby invited to attend the daily sessions of this House and open said sessions with prayer, the times to be determined by those ministers.

That the Sergeant-at-Arms be directed to inform those ministers of the adoption of this resolution.

Which was adopted.

Mr. C. D. Minor offered the following joint resolution, namely:

Whereas, it is manifestly expedient for the welfare of the State of Kentucky that all expenses of the State be curtailed to the greatest possible extent; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, that no help be employed by this General Assembly except that provided by the Constitution of this State.

Ordered that said resolution lie on the clerk's desk.

A message was received from the Governor in writing as follows, viz.:

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

At this date there are outstanding due and unpaid interest-bearing warrants of this Commonwealth in the sum of $2,884,371.11, and bearing interest at the rate of 5%. It is true these obligations aggregate much less than the bonded indebtedness of many states; this, however, is not and can not, under the Constitution of Kentucky, be made a bonded indebtedness. Could it be funded at a low rate of interest and its payment distributed over an extended period, the General Assembly might find some excuse for postponing that strict and rigid economy now imperatively necessary. Those engaged in the public service have a right to expect prompt payment for services rendered and that payment should be made in cash and not in a promise to pay. Where these warrants bear a low rate of interest they are subject to a discount and that discount is a burden upon those to whom they are payable, which they are under no obligation to bear. If they bear such a high rate of interest as to render them readily convertible into cash, that rate of interest is an indefensible drain upon the revenues of the State. If these warrants are allowed to accumulate in the future as they have in the past, one of two things will inevitably happen. They will either be hawked about at a discount to the annoyance and deprivation of the citizen, or the interest rate will necessarily be increased to the further exhaustion of an already depleted public treasury. Banks and other fiscal institutions are now exhausting the ingenuity of the astute and patriotic business men in charge of them in devising some plan to maintain these multiplying obligations at par. It is therefore the peremptory obligation of all public servants from the highest to the lowest, to practice for the time being at least, the most rigid economy in every de-

partment and in every detail of the public service in order that these obligations may be paid and in order that a material part of them may be retired without hesitation and without delay. I know that this will require courage, patriotism and firmness on the part of the General Assembly. You will be called upon to resist—to resolutely resist—the importunity of many good and patriotic people, tireless and zealous in their desire to expend money which the State has not, for all kinds and characters of projects in themselves most laudable.

Those who propose additional appropriations should at least, at the same time, be able to suggest some method by which the additional revenue necessary to meet the expenditure may be provided. Additional appropriations under the circumstances, without an immediate and corresponding increase in taxation, are out of the question. It is hard to conceive any new project, however laudable, which would justify the Legislature in inflating the present costly and indefensible method of floating the public debt.

Extra Help.

There is a certain expenditure—in the opinion of many, an unwise and unnecessary expenditure—positively prohibited by an authority higher and more binding than the manifest obligation to economize in every department of the public service. I refer to the employment of extra help which will cost, if such a program is carried out, approximately $200.00 a day during the present session of the General Assembly. Whether this help is advisable or necessary is not a matter left to the discretion of the House or Senate. It is positively and unequivocally prohibited by the express mandate of the Constitution of Kentucky. Section 249 leaves, in my opinion, no room for doubt:

"The House of Representatives of the General Assembly shall not elect, appoint, employ, or pay for, exceeding

one chief clerk, one assistant clerk, one enrolling clerk, one sergeant-at-arms, one door-keeper, one janitor, two cloak-room keepers and four pages; and the Senate shall not elect, appoint, employ, or pay for, exceeding one chief clerk, one assistant clerk, one enrolling clerk, one sergeant-at-arms, one door-keeper, one janitor, one cloak-room keeper and three pages; and the General Assembly shall provide by general law for fixing the per diem or salary of all of said employes."

If construction of language, so emphatic and explicit, were necessary, it has been construed by the Court of Appeals in the case of James, Auditor v. Cromwell, 129 Ky., page 513:

"It is urged that work of the character which was performed by appellee was absolutely necessary in order that the business of the Senate might be expeditiously carried on. This argument would address itself most forcibly to the Legislature as a reason why the Constitution should be amended so as to give to the respective legislative bodies more employes than those designated in section 249, if it should be found necessary to have such employes in order to properly conduct its business. Such an argument, however, has no place, and cannot be considered here. Again, it is urged that these services should be paid for as a contingent expense of the Senate. We can not agree with learned counsel that an employment of this character could be paid for as a contingent expense; for, if one copyist could be so employed and paid, the number could be multiplied *ad libitum,* and the very purpose and aim of the constitutional provision defeated."

Those only are worthy to write the law who respect the law, and the most sacred of all legislation is the organic act creating, defining and restricting the powers of state and federal governments. The prime purpose of all constitutions is to set a limit inviolate and impassable upon legislators themselves. Whenever the Constitution is, in the opinion of the General Assembly or of the people who elect it, too bind-

ing or inadequate for the purposes for which it was ordained, that instrument provides the method and the only method by which it may be altered or any of its provisions abrogated. It is your privilege, with the assent of the people, to amend it. It is the privilege of no man, high or low, to ignore or to violate it. Whenever the Constitution ceases to be revered and obeyed, civil government—the republican form of government—ordained and established by the fathers, is no longer secure and cannot and will not long be maintained. For that reason, every officer from the highest to the lowest is required before entering upon his duties, to take, in the presence of those who have entrusted him with authority, a solemn oath to obey and to maintain the Constitution of his country. In the language of Judge Bennett, in Varney v. Justice, 86 Kentucky, page 600, its provisions are never directory, they are mandatory:

"The Constitution of the State was adopted by the people of the State as the fundamental law of the State. This fundamental law was designed by the people adopting it to be restrictive upon the powers of the several departments of government created by it. It was intended by the people that all departments of the State government should shape their conduct by this fundamental law. Its every section was, doubtless, regarded by the people adopting it as of vital importance, and worthy to become a part and parcel of the constitutional form of government, by which the governments as well as the governed were to be governed. *Its every mandate was intended to be paramount authority* to all persons holding official trusts, in whatever department of government, and to the sovereign people themselves. No mere unessential matters were intended to be ingraftd in it; but each section and each article was solemnly weighed and considered and found to be essential to the form of constitutional government adopted. Whenever the language used is prohibitory, it was intended to be a *positive and unequivocal negation.* Whenever the language contains a grant of power,

it was intended as a mandate. Whenever the language gives a direction as to the manner of exercising a power, it was intended that the power should be exercised in the manner directed, and in no other manner. It is an instrument of words, granting powers, restraining powers and reserving rights. These words are *fundamental words,* meaning the thing itself; they breathe no spirit except the spirit to be found in them. To say that these words are directory merely, is to license a violation of the instrument every day and every hour. To preserve the instrument inviolate, we must regard its words, except when expressly permissive, *as mandatory, as breathing the spirit of command."*

I have every assurance that the General Assembly will render cheerful and reverent obedience to this plain provision of the Constitution and will employ during their deliberations only those persons explicitly authorized by the Constitution of the Commonwealth.

Platform Pledges.

The members of the party in control of both branches of the General Assembly have been instructed by their several constituencies to carry into effect certain reforms demanded, with unexampled emphasis and unanimity. Those whom we represent confidently expect us to proceed without delay and to complete as soon as it may be well and wisely done, the enactment of legislation providing for:

(1) The abolition of, or such change in, our prison contract labor system as will make available to the State and to the several counties, the labor of such convicts as may be safely worked outside of the penitentiaries in the construction of public roads and in the manufacture and production of road material;

(2) To such an amendment to the present Text Book Commission law as to provide for the gradual change in the adoption of text books, when the change is deemed necessary,

instead of changing the entire series at the end of any fixed or stipulated period, or in any one year;

(3) For the establishment of a Bureau of Markets;

(4) County, State and federal officers are now elected by the direct voice of the people. We are pledged to so amend our election laws to the end that every device by which the popular will is delayed or perverted may be eliminated and those guilty of fraud or corruption in such elections detected and punished;

(5) To the enactment of a more adequate and stringent anti-trust act;

(6) To the increase of the powers of the Railroad Commission, vesting it with the authority to regulate other public utilities;

(7) To the enactment of legislation compensating workmen for injuries received in the course of their employment, just alike to the employer and the employe;

(8) To the enactment of stringent anti-pass and anti-lobby acts;

(9) To the enactment of a corrupt practices act;

(10) To such a revision of our tax laws as to equitably distribute the burdens of taxation among the tax payers of the State.

The matters to which I have called your attention are all contained in the last platform of the Democratic Party, a covenant entered into by duly accredited delegates without a dissenting voice. Nominees of that party elected upon that platform are solemnly bound to carry into effect each and all of these covenants. The whole contract is broken when any essential part of it is ignored. Faith is not kept by a partial performance of such obligations, and the General Assembly will not and should not escape just criticism if it fails to carry out honestly and adequately the entire legislative program.

Universal Demand for Remedial Legislation.

These reforms, however, are suggested not by a single political organization, but by all parties and all factions, and are demanded by all right-thinking and forward-looking men.

The Republican and Independent parties are both committed to such legislation and one or both are now urging the passage of a corrupt practices act, an increase in the powers of your Railroad Commission, a revision of our taxing system, anti-pass and anti-lobby legislation.

A Corrupt Practices Act.

If this is to be a free and representative government, in fact as well as in form, it is essential that candidates shall be nominated and elected by the uncorrupted choice of their fellow-citizens. The use of a candidate's own private fortune for the purpose of debauching the electorate or of perpetrating frauds in the casting or counting of ballots is bad enough; enormous corruption funds contributed by sinister interests for their own selfish aggrandizement is infinitely worse. The people are determined to ascertain, and they have an unquestioned right to know, just what amounts are spent by candidates and by campaign committees for the purpose of controlling elections—to know from whence the slush fund comes and why it is paid and who receives and who disburses it.

Anti-Pass Legislation.

The purification of the ballot, the elimination of every semblance of fraud or corruption from our elections is indeed a barren victory, if after their election legislative agents expert in the nefarious art of deterring or deceiving those entrusted with the enactment or the execution of the law are free to play upon the ambition, the cupidity or the

fear of public servants. No right-thinking corporation will tender and no self-respecting officer will accept any special favor at the hands of those seeking to influence his official acts. Section 197, of the Constitution of 1891, provides:

"No railroad, steamboat, or other common carrier, under heavy penalty to be fixed by the General Assembly, shall give a free pass or passes, or shall at reduced rates not common to the public, sell tickets for transportation to any State, district, city, town or county officer, and any member of the General Assembly, or judge, who shall accept or use a free pass or passes, or shall receive or use tickets or transportation at reduced rates not common to the public, shall forfeit his office. It shall be the duty of the General Assembly to enact laws to enforce the provisions of this section."

This provision is as binding upon those who respect the Constitution as if legislation had already been enacted, providing the severest penalties for its violation. Common carriers know that members of the General Assembly and other public officials must expend in the discharge of their official duties, large sums of money for transportation, and when this is gratuitously provided, they knowingly incur the loss of many thousand of dollars. If experience has not demonstrated that this apparent loss is in fact a profitable investment these carriers are guilty either of an inexcusable waste of the property of their stockholders or of placing an additional and unwarranted burden upon those thus compelled to pay both their own fare and that of this privileged class as well. A public servant can repay this obligation only by so enacting, executing or interpreting the law as to favor his opulent and munificent benefactor. These interests would not for a quarter of a century have stubbornly, and I regret to say successfully, prevented the enactment of wholesome legislation carrying into effect the wise and beneficent provisions of the Constitution of Kentucky if they had not believed—yes, if they had not known—that in many instances

public officials did feel that they were placed under an obligation to generous carriers and did reward them by sacrificing the rights of the public in the interest of these concerns. Public officials are as a rule as well paid as the average laborer, farmer or merchant, and can just as readily pay their own travelling expenses. It is gratifying to know that the public conscience is at last aroused and no political party can longer afford to condone or to tolerate this abuse.

The Lobby.

The right of every interest, of every industry, of every individual to petition legislative assemblies for the redress of grievances or the enactment of remedial legislation is admitted. Those who go before such assemblies in behalf of the public or of any laudable private enterprise court the widest publicity. The reputable attorney employed to discuss either the legality or the propriety of measures pending before the General Assembly makes no secret of his business, appearing as openly as in a court of justice. Those whose purposes are commendable, whose practices are clean, will not object to making known the nature and character of their mission, and those legislative agents who prefer darkness rather than light should be compelled to disclose just who employs them and what they are employed for, and to whom they propose to appeal. Public records should be prepared, and that as early as possible in the session of the General Assembly, one in which attorneys appearing before this body as retained counsel, may register, in the other the name of the legislative agent and his employer should be enrolled. Such records should recite in full and in detail just what interests the legislative agent represents and in just what legislation he is interested. The heaviest pains and penalties permissible under the constitution of this Commonwealth and of the United States should be inflicted upon those who attempt by secret and personal solicitation

17655

to deceive or debauch the representatives of the people by crude bribery or by insidious promises of future preferment or by aid in the political designs of the aspiring. It is not necessary that I should recount the immediate necessity for drastic legislation upon this subject. The insolent activities of the legislative agent, the professional lobbyist and the known corruptionist are too recent to require further reference or review.

I have confined this message to an earnest insistence upon the immediate fulfillment of platform pledges. In the near future I shall call your attention to the condition of our penal and eleemosynary institutions and to other matters demanding the attention of the General Assembly.

Respectfully submitted,

A. O. STANLEY,
Governor of Kentucky.

January 4, 1916.

Mr. Odie Duncan offered the following resolution, viz.:

Resolved, that the message of the Governor to this House, just read, be printed; that 2,500 copies of the same be presented to the Governor after five copies have been placed on the desk of each member.

Mr. H. J. Meyers moved that this House adjourn to meet tomorrow at eleven o'clock A. M.

Said motion was agreed to.

WEDNESDAY, JANUARY 5th, 1916.

The House was opened with prayer by the Rev. Benjamin Andres, of the Southern Presbyterian Church, of the city of Frankfort.

The reading of the Journal of yesterday's proceedings was dispensed with.

Eli Berry, Chief Clerk of this House, announced that there had been received by him, notice of contest and papers relative thereto in the following case, viz.:

From the Legislative District composed of the counties of Clinton and Wayne:

S. C. Dobbs, Contestant vs. W. C. Allen, Contestee.

Which were ordered to be filed in the records of the House. Said notice reads as follows, viz.:

THIRTY-SIXTH LEGISLATIVE DISTRICT OF KENTUCKY.

S. C. DOBBS, - - *Contestant,*
vs.
W. C. ALLEN, - - *Contestee.*

Notice of Contest.

The contestee, W. C. Allen, is hereby notified that the contestant, S. C. Dobbs, will contest your right to a seat in the House of Representatives from the 36th Legislative District of Kentucky, at the session of the General Assembly, to be held in Frankfort, Kentucky, beginning on the ..... day of January, 1916, upon the following grounds, and for the following reasons, to-wit:

First. Because the certification of the vote received by you as made by C. P. Huff and Blain Campbell, election commissioners of Clinton county, and certified to the Board of Election Commissioners of Wayne county, was not true in that they certified that you had received 796 votes, when in truth and in fact, the returns as made by the election officers and filed in the County Clerk's office of Clinton county showed by the tabulation which was made by C. P. Huff, Blain Campbell and E. Bertram, as election commissioners in and for Clinton county, Kentucky, that at the November election, 1915, you only received in the county of Clinton, 753 votes.

Second. Because in precinct No. 1, of Wayne county, Kentucky, the clerk wrote the name of W. C. Allen on the ballot of six voters without the voter being sworn as to whether or not he could read and write, and these votes were certified by the election officers as having been votes for W. C. Allen, and were counted for W. C. Allen for representative.

Third. Because in precinct No. 4, of Wayne county, Kentucky, the election officers counted thirty votes for W. C. Allen, where his name had been written on the ballot under the Republican device and not stencilled in the square opposite said Allen's name. The only mark the voter had placed upon the ballot was an X in the circle under the Republican device.

Fourth. Because the election officers in precinct No. 5, of Wayne county, Kentucky, counted and certified that W. C. Allen had received fourteen votes, when in truth and in fact, the name of W. C. Allen was written on the ballot, but the voter had not stamped in the square opposite said Allen's name; the only mark or stencilling the said voter had done was to stamp in the circle under the Republican device.

Fifth. Because in precinct No. 7, of Wayne county, Kentucky, the election officers counted and certified that

W. C. Allen had received seventy-five votes in that precinct in said election, for the office of Representative, when in truth and in fact, they counted for said Allen, votes that were illegal and that should not have been counted, numbering about twenty-five, said Allen's name having been written under the Prohibition device, and for Judge, and Governor, and Commonwealth's Attorney, and under various other devices other than the Republican device, and many of the votes counted for said Allen were where your name had been written under the Republican device, but the voter had failed to stencil in the square opposite your name, and only stencilled in the circle under the Republican device.

Sixth. Because in precinct No. 8, of Wayne county, Kentucky, the election officers counted and certified 126 votes as having been received by W. C. Allen, when in truth and in fact, more than eighty of these votes were illegally counted, because there were about fifty or sixty votes where the voter had written the name of W. C. Allen under the Republican device, but failed to stamp in the square opposite said name, and only stamped in the square under the Republican device. There were counted something like thirty or forty votes for said Allen where the voter had written said Allen's name and voted for said Allen for Circuit Judge, Governor, Commonwealth's Attorney, and various other offices under the Prohibition device, and other devices other than the Republican device, and also many votes were counted for said Allen when the name written could not be made out at all.

Seventh. Because in precinct No. 9, in Wayne county, Kentucky, the election officers counted and certified that W. C. Allen had received for the office of Representative in that precinct, sixty votes, when in truth and in fact, there were about forty votes counted for said Allen, where the voter had just made a mark upon the ballot and stamped opposite the mark and the name of W. C. Allen was not written upon the ballot at all. But these were counted as votes having been received by W. C. Allen.

Eighth. Because in precinct No. 13, of Wayne county, Kentucky, the clerk of the election, without the voter being sworn as to whether or not he could read or write, wrote the name of W. C. Allen on about fifty ballots or more, before the ballot was delivered to the voter and the voter stamped in the circle under the Republican device, and not in the square opposite said Allen's name, and these were counted for said Allen by the election officers in said precinct as votes having been received by said Allen in said district, and so certified by the election officers. There were something like forty or fifty votes counted for said Allen in this precinct, where the voter had written said Allen's name under devices other than the Republican device, and in the blank space left for the office of Governor and various other offices other than that of Representative, yet these votes were counted and certified by the election officers as votes having been cast for said W. C. Allen.

Ninth. Because in precinct No. 14, the clerk, without the voter being sworn, wrote the name of W. C. Allen upon the ballot under the Republican device, then the ballot was delivered to the voter without him being sworn as to whether or not he could read or write. The voter stamped in the circle under the Republican device, and this vote was counted for said Allen and certified to by the officers of election, when the voter had not stamped in the square opposite the name of W. C. Allen, and there were so certified in this way about forty votes. There were also counted for said Allen by the officers in this precinct, about thirty votes where the voter had written the name of W. C. Allen under the Republican device and under various other devices, but had not stencilled opposite said Allen's name.

Tenth. Because in precinct No. 15, in Wayne county, Kentucky, the officers of election counted and certified seventy-one votes for W. C. Allen, when in truth and in fact, there were forty of these ballots where the name of W. C. Allen had been written under the Republican device as can-

didate for Representative, the voter stencilled in the circle under the Republican device and did not stencil opposite the name of W. C. Allen, and yet there were forty votes counted which had been so marked.

Eleventh. Because in precinct No. 17, in Wayne county, Kentucky, the election officers counted and certified twenty-five votes as having been voted for W. C. Allen, where the voter had written the name of W. C. Allen upon the ballot and stencilled in the circle under the Republican device and had not stencilled in the circle opposite the name of W. C. Allen.

Twelfth. Because in precinct No. 1, of Clinton county, Kentucky, the clerk of the election wrote the name of W. C. Allen, under the Republican device, as a candidate for Representative, without the voter being sworn as to whether or not he could read or write and the voter stamped in the circle under the Republican device and not in the square opposite the name of W. C. Allen, and the election officers counted and certified fifty votes in said precinct for W. C. Allen that had been so voted and marked.

Thirteenth. Because in precinct No. 2, of Clinton county, Kentucky, the election officers counted and certified that W. C. Allen had received ..... votes and twenty of these votes or more the voter had written, or the clerk, without the voter being sworn, the name of W. C. Allen under the Republican device as a candidate for Representative, and the voter had stencilled in the circle under the Republican device and had not stencilled in the square opposite the name of W. C. Allen, and said election officers also counted ten votes for W. C. Allen where the name of W. C. Allen and Wm. Allen, and Wm. R. Allen had been written under the Prohibition device and various other devices other than the Republican device, yet each and all of these votes were counted and certified by the election officers as votes received by said W. C. Allen for the office of Representative from said district.

Fourteenth. Because in No. 3 precinct, Clinton county,

Kentucky, the officers counted thirty ballots as having been voted for W. C. Allen, for Representative from said district where the voter had stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen upon the ballot. There were counted ten votes for W. C. Allen for the office of Representative from said precinct where the voter had written the name of W. C. Allen under other devices than the Republican device.

Fifteenth. Because in precinct No. 4, of Clinton county, Kentucky, the officers of election counted thirty-five ballots as having been voted for W. C. Allen for Representative from said district where the voter had stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen upon the ballot, and the name of W. C. Allen was written upon said ballots without the voter being sworn as to whether or not he could read or write. There were also counted in said precinct five votes for W. C. Allen for the office of Representative where the voter had written the name of W. C. Allen under other devices than the Republican device and voted for him for other offices than that of Representative; each and all of said votes were certified by said election officers to the County Clerk and by the Board of Election Commissioners of Clinton county, tabulated and counted for W. C. Allen and for the office of Representative.

Sixteenth. Because in precinct No. 5, of Clinton county, Kentucky, the officers counted twenty ballots as having been voted for W. C. Allen for Representative in said district where the voter had stencilled in the circle under the Republican device and had not stencilled in the square opposite the name of W. C. Allen which had been written upon the ballot before it was delivered to the voter without the voter being sworn as to whether or not he could read or write. There were also counted for said Allen in said precinct, ten votes where the name of W. C. Allen had been written under other devices and voted for by the voter for other offices than that

of Representative. These votes were tabulatd by the election commissioners of Clinton county and counted for W. C. Allen, having been so returned by the election officers and certified to by them.

Seventeenth. Because in precinct No. 6, of Clinton county, Kentucky, the election officers counted for W. C. Allen thirty-two votes where the clerk had written the name of W. C. Allen upon the ballot before it was delivered to the voter and without the voter being sworn as to whether or not they could read and write, and where the voter had stencilled in the circle under the Republican device and did not stencil in the square opposite the name of W. C. Allen as written on the ballot by the clerk. There were counted in said precinct and given W. C. Allen credit by eight votes where the name could not be read or could not be told what the voter had intended to do, or whom he intended to vote for. All of said votes were tabulated by the election officers of Clinton county and W. C. Allen was given credit by all of said votes.

Eighteenth. Because in precinct No. 7, Clinton county, Kentucky, the election officers counted for W. C. Allen eighteen votes where the clerk had written the name of W. C. Allen under the Republican device before the ballot was delivered to the voter and without the voter being sworn as to his inability to read and write, and said ballots were stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen as written on said ballots by the clerk. There were counted for W. C. Allen in said precinct ten votes where the voter had undertaken to write the name of W. C. Allen under other devices than the Republican device and for other offices than the office of Representative. All of said votes were tabulated by the election commissioners of Clinton county, on the 5th day of November, 1915.

Nineteenth. Because in precinct No. 8, in Clinton county, Kentucky, the clerk of election, before delivering the ballot to the voter, and without the voter being sworn as to his in-

ability to read and write, wrote the name of W. C. Allen under the Republican device, as a candidate for Representative, and the voter stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen. There were counted for W. C. Allen ten votes in said precinct where the voter had written his name under devices other than the Republican device and for offices other than the office of Representative, and it could not be ascertained the name whom the voter had undertaken to write upon said ballot.

Twentieth. Because in precinct No. 9, of Clinton county, Kentucky, the clerk of election without the voter being sworn as to his inability to read and write, and without the request of the voter, wrote the name of W. C. Allen upon the official ballot under the Republican device, as a candidate for Representative from said district and delivered same to the voter, and the voter stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen as written upon the ballot by the clerk, and there were thirty-nine of these ballots counted for W. C. Allen for the office of Representative. Said officers also counted for W. C. Allen in said precinct, nine votes where the name of W. C. Allen had been written under other devices than the Republican device, and as a candidate for other offices than that of Representative.

Twenty-first. Because in precinct No. 10, of Clinton county, Kentucky, the clerk without the request of the voter, wrote the name of W. C. Allen upon thirty-eight ballots under the Republican device as a candidate for Representative, without the voter being sworn as to his inability to read and write, and the voter stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen as written on the ballot by the clerk. These votes were all counted for W. C. Allen for the office of Representative. Said officers also counted for W. C. Allen twelve votes in said precinct where the voter had written his name under

other devices than that of the Republican party and for other offices than that of Representative.

Twenty-second. Because in many of the precincts of Clinton and Wayne counties, the officers of said precincts counted for W. C. Allen more than one hundred votes where the name of W. C. Allen had been written in the blank space left on the Prohibition ticket and on the Progressive ticket, and under some of the devices other than the Republican device, and for the office of Circuit Judge, Commonwealth's Attorney, and various other offices other than the office of Representative, as having been received by W. C. Allen as a candidate for the office of Representative from the 36th Legislative District of Kentucky, but contestant is unable to give the exact number of votes so counted in each precinct, or the particular precincts in which each and every vote was so cast and counted.

S. C. DOBBS, Contestant,
By O. B. BERTRAM, Attorney.

Mr. Spahn offered the following resolution, viz.:

Whereas, there has been lodged with the Clerk of this House the record in the contest from the Thirty-sixth Legislative District of Kentucky, in which S. C. Dobbs is contestant and W. C. Allen is contestee for membership in this House;

Therefore, be it resolved, That a committee of seven members of this House be drawn as a contest committee in the manner provided by law, for the hearing and determination of the contest, with instructions to hear such contest as speedily as possible and to report its findings to this House for action.

Said resolution was adopted.

Thereupon the roll of the House was called, and the following members responded to their names as being present, viz.:

H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
R. A. Cock
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
L. M. Smith
E. D. Smith
Claude B. Smith
Adam Spahn
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young
—89

The Speaker then announced that the House would now proceed according to law and pursuant to the resolution above set out to select by lot seven of its members to constitute a board or contest committee to determine the con-

test to the right of a seat in this House as Representative from the Representative District composed of the counties of Clinton and Wayne, of S. C. Dobbs, contestant, versus W. C. Allen, contestee.

The names of the members present were written on separate pieces of paper, rolled and placed in a box by the Clerk, in the manner provided by law, who, after the same had been well shaken, drew the names of seven members of the House therefrom, separately, which were opened and read aloud by the Speaker of the House, viz.:

Messrs. Frank J. Brown, Jas. R. Dorman, Glover H. Cary, J. M. Elliston, J. M. Howell, W. P. Cropper and Thomas Spurrier.

Whom the Speaker declared selected as members of said board.

Thereupon the said members of said board appeared at the bar of the House and the oath of office was administered to them by the Chief Clerk of the House, as required by law.

A message was received from the Senate through a committee composed of Senators Combs, Hiles and Huntsman, announcing that General Henry M. Robert, author of Robert's Rules of Order, was now in the city of Frankfort, and requested that the House appoint a committee of three of its members to act with a like committee of the Senate, to invite General Robert to address a joint meeting of this General Assembly.

Mr. Hobbs moved that said Senate Committee's request be accepted by this House and that General Robert be invited to address a joint meeting of the Senate and House at this time.

Said motion was agreed to.

In accordance with said motion the Speaker appointed the following committee, viz.: Messrs. Hobbs, Cary and Holland.

After a time said committee reported that they had performed the duty imposed by said motion, and that General Robert was ready to address said joint session.

The Senate of Kentucky in order entered upon and took seats on the floor of the House of Representatives for the purpose of the execution of said joint order.

At the close of the address delivered by the said Henry M. Robert, the Senate retired and the Speaker of the House resumed the chair, and the house was in order.

Mr. Duncan called up for consideration a resolution offered by him on yesterday, viz.:

Resolved, that the message of the Governor to this House just read, be printed; that 2,500 copies of the same be presented to the Governor after five copies have been placed on the desk of each member.

Mr. Perry offered the following amendment to said resolution, viz.:

Amend House resolution, providing for the payment of money for copies of the Governor's message, by adding the following at the beginning of the resolution:

"Be it Resolved by the General Assembly of the Commonwealth of Kentucky."

Mr. Cook moved that said resolution be postponed indefinitely.

Said motion was disagreed to.

Mr. Radcliffe moved the previous question.

Said motion was agreed to.

Said amendment was agreed to.

The yeas and nays being taken on the adoption of said resolution as amended in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	T. T. Gardner	Harry J. Meyers
Peter Ampler	Wm. Gearheart	Claude D. Minor
H. F. S. Bailey	W. G. Gooch	John T. Murphy
Chas. D. Bratcher	Frank C. Greene	B. F. McAtee
G. G. Brashear	C. H. Grimes	E. B. McGlone
Frank J. Brown	J. S. Hall	W. J. McMurray
E. Bullock	L. B. Hamilton	C. B. Nichols
Henry A. Cannon	W. C. G. Hobbs	S. Mazyck O'Brien
Glover H. Cary	A. B. Holland	William A. Perry
A. S. Cooper	J. M. Howell	Geo. L. Pickett
S. B. Coleman	Chas. L. Hunter	A. B. Pieratt
W. P. Cropper	R.B.Hutchcraft,Jr.	W. A. Price
R. T. Crowe	R. B. Jackson	J. D. Pumphrey
H. C. Cummins	J. M. Johnson	Richard Radcliffe
Jas. R. Dorman	T. R. Jones	D. S. Richardson
Thomas A. Dover	Wm. J. Kuh	John T. Roach
William Dufty	W. T. Lasley	Lewis Ryans
Odie Duncan	M. E. Lee	L. M. Smith
J. R. Durham	Dr. J. E. Lilly	Claude B. Smith
J. M. Elliston	Dr. C. W. Mathers	Adam Spahn
L. L. Embrey	Jacob Metzger	Thomas Spurrier

R. C. Tartar	John S. Webb	E. S. Wood
D. B. Tyra	Frank M. White	Louis E. Yewell
J. Wood Vance	J. D. Wills	E. G. Young
J. W. Wall	M. O. Wilson	—74

Those who voted in the negative were—

C. H. Bays	W. R. Lyon	Bannie Tabor
W. H. Brown	G. B. Moores	J. H. Thompson
R. A. Cook	L. T. Neat	Robt. R. Treadway
James S. Cruse	Harry P. Purnell	W. M. Webb
W. H. Jones	Ed. D. Stone	—14

Mr. H. J. Meyers moved that the vote by which said resolution was adopted be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted a resolution entitled:

S. Res. 1. Resolution adjourning General Assembly until Monday, January 10th, 1916, at 1 o'clock P. M.

Mr. H. J. Meyers moved that the rules be suspended and that said resolution be taken up for consideration.

Said motion was agreed to.

Said resolution reads as follows, viz.:

Resolved by the Senate, the House of Representatives concurring therein, that when the two Houses of the General Assembly adjourn today they adjourn to meet again on Monday, January 10th, 1916, at one o'clock P. M.

Said resolution was concurred in.

Mr. Perry offered the following resolution, viz.:

Resolved, that the Speaker of the House of Representatives appoint a committee of three members to wait on the Governor with a view of obtaining his co-operation and the co-operation of the various departments of the State government in supplying the House of Representatives with the necessary help in the proper conduct of its business, from employes in the State Capitol who may be loaned to the Legislature during its sixty days' session, without serious inconvenience to the public service, and without any additional compensation.

Said resolution was adopted.

In accordance with said resolution the Speaker appointed the following committee, viz.:

Messrs. Perry, L. Meriwether Smith and Frank J. Brown.

Mr. Minor called up from the Clerk's desk for consideration, the joint resolution offered by him on yesterday.

(For said resolution, see yesterday's Journal.)

Mr. Perry moved that the consideration of said resolution be postponed until the committee appointed to call on the Governor can perform such duty.

Said motion was agreed to.

Mr. Pumphrey moved that the House do now adjourn.

In accordance with the joint resolution heretofore adopted by the Senate and concurred in by the House, the House adjourned to meet on Monday, January 10th, 1916, at one o'clock P. M.

MONDAY, JANUARY 10, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer, of the Roman Catholic Church of the city of Frankfort.

The Speaker of the House made the following announcement to the members of the House in writing, viz.:

"To the House of Representatives of the General Assembly of Kentucky: On account of an illness confining me to my room, my physician forbids me to attend the session of the House to commence at one o'clock P. M.; therefore I designate and appoint the Hon. J. D. Pumphrey, of Fleming county, to preside over the deliberations of the House as Speaker during the present meeting.

"Witness my hand this January 10, 1916.

(Signed) "H. C. DUFFY, Speaker."

Thereupon Mr. J. D. Pumphrey took the chair and presided as Speaker *pro tem.* of the House.

The reading of the Journal of Wednesday, January 5, 1916, was dispensed with.

The Speaker of the House under and by virtue of a resolution adopted on Tuesday last, announced the appointment of the following as a Committee on Rules for and during the present session, viz.:

Messrs. S. Mazyck O'Brien, W. A. Price, George L. Pickett, R. T. Crowe, W. E. Dowling, J. D. Pumphrey, Odie Duncan, Glover H. Cary, William Duffy, Frank C. Greene,

Harry J. Meyers, C. W. Mathers, R. B. Hutchcraft, Jr., and H. C. Duffy, Speaker, and ex-officio Chairman.

The Speaker laid the following announcement in writing before the House, viz.:-

"Frankfort, Ky., January 10, 1916.

"Under and by virtue of the authority vested in me by joint rule No. 11, I hereby designate and fix the time for the joint meeting of the Senate and House of Representatives, for the purpose of electing a State Librarian for Monday, January 10, 1916, at 9 o'clock P. M.

"H. C. DUFFY,
Speaker House of Representatives."

Ordered that said announcement be entered upon the Journal of the House by the Clerk thereof and a copy of said order be certified and delivered to the Senate and the Clerk thereof. After a time the Chief Clerk of the House announced that he had discharged that duty.

Mr. S. Mazyck O'Brien, of the Committee on Rules, offered the following report, viz.:

The Committee on Rules respectfully report to the House the accompanying rules for its government during the present session.

QUORUM OF THE HOUSE.

Rule 1. Five members of the House shall constitute a quorum for the purpose of adjourning; fifteen members for the purpose of calling a House, of sending for absent members and of making an order for their censure and fine; a majority of the members may proceed to business, and the numbers mentioned in this rule shall have power, in the

absence of the Speaker, to elect a Speaker *pro tem.* for the purposes above designated.

HOUR OF MEETING AND ADJOURNMENT.

Rule 2. The standing hour of meeting each day shall be 10 o'clock a. m., standard time, and the standing adjournment shall be 1:30 o'clock p. m., except on Monday, when the hour of meeting shall be 1 o'clock p. m., and the hour of adjournment 2 p. m. Provided, however, that a majority of the House may elect to hold extra sessions at any time and extend the sitting of any session to any time within their discretion.

THE POWERS AND DUTIES OF THE SPEAKER.

Rule 3. The Speaker shall take the chair every day at the hour to which the House adjourned on the preceding day; he shall immediately call the members to order, and, a quorum being present, shall cause the Journal of the preceding day to be read.

Rule 4. He shall preserve decorum and order and, in case of disturbance or disorderly conduct in the gallery or lobbies, may cause the same to be cleared. He shall have general control, except as provided by rule or law, of the hall of the House and of the corridors and passages, of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further ordered. He may speak to points of order in preference to other members, rising from the chair for that purpose. He shall decide questions of order, subject to an appeal to the House on request of any two members, and the members appealing shall reduce the appeal to writing.

The Speaker shall have supervision over the Clerks, Sergeant-at-Arms, Doorkeeper, Janitor, Pages, or other em-

ployes of the House, and shall direct them as to their duties, and upon failure of any such officials to perform their duties, the Speaker shall have power to impose a fine upon such offender, not to exceed the per diem of such official or employe for each offense. Such fine shall be entered upon the Journal and deducted from the compensation due such offender.

Rule 5. The standing committees of the House, herein named, shall be appointed by the Speaker.

Rule 6. The Speaker may state questions sitting, but shall rise to put a question.

Rule 7. Questions shall be distinctly put in this form, viz.: "Gentlemen, you who are of the opinion that (as the question may be) say 'aye,' you of the contrary opinion say 'nay.' "

Rule. 8. If the Speaker be in doubt as to the result of a vote, or a division be called for, the House shall divide; those in the affirmative of the question shall rise from their seats, and, afterward, those in the negative. If the Speaker be still in doubt, or a count be requested, the Speaker shall name two members, one from each side, to count those in the affirmative and the negative; which, being reported, he shall rise and state the decision of the House; provided, however, that such decision or count shall not be allowed after the House shall have proceeded to other business.

Rule 9. The Speaker shall have the right to name any member to perform the duties of the chair, but such Speaker *pro tem.* shall not be empowered to act beyond a period of five days.

Rule 10. No person shall be permitted upon the floor

of the House except the Governor, his Secretary, members of the Senate, such newspaper correspondents as may be authorized by the Speaker of the House, the Chief Executive of the United States, Judges of the Court of Appeals and of the Supreme Court of the United States and members of the Federal Congress, unless on special invitation of the House previously extended by vote of the House, and it shall be the duty of the Doorkeeper to exclude all persons not entitled to the floor of the House chamber. If, however, other persons find their way to the floor, it shall be the duty of the Sergeant-at-Arms to remove them.

At least five minutes before the hour of convening each day the Sergeant-at-Arms shall clear the floor of the House chamber of all persons not entitled to the floor, and shall announce in a loud and distinct voice, "All persons not entitled to the floor of the House under the rules thereof will now vacate the House chamber." He shall then compel each and every person then in the House chamber, who is not entitled to remain therein to vacate.

DEBATE.

Rule 11. When a member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker of the House as "Mr. Speaker," but shall not proceed until recognized by the Speaker.

Rule 12. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, through the Speaker, call the offender to order; and the member called to order shall immediately sit down unless permitted to explain, and the House, if appealed to, shall decide on the case without debate. If the decision be in favor of the member called to order, he shall be at liberty

to proceed; if against him, and the case require it, he shall be liable to the censure of the House.

Rule 13. When two or more members rise at once, the Speaker shall name the member who is first to speak.

Rule 14. No member shall speak more than twice on the same question without leave of the House, and he shall not speak more than once until every member of the House choosing to speak has spoken. No member shall be allowed to speak longer than one hour in the aggregate.

Rule 15. While the Speaker is putting any question or addressing the House, no one shall walk about the House, or leave; neither, in such case, nor when a member is speaking, shall any one talk or pass between the chair and the member who is speaking.

Rule 16. No member shall in debate, name another member.

Undebatable Motions.

Rule 17. Motions to proceed or dispense with the orders of the day, to dispense with any rule of the House, or take up business out of its regular order, to commit or recommit, except with instruction, shall be propounded without debate.

Rule 18. No explanation of any vote shall be permitted pending the call of the yeas and nays on an undebatable motion.

Withdrawal of Motions.

Rule 19. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed in the possession of the House, but may be withdrawn by consent of the House, at any time before a decision or amendment.

Motions.

Rule 20. After a motion is made and seconded it shall be stated by the Speaker, or, being in writing, shall be handed to the chair and read aloud by the Clerk before debate.

Rule 21. Every motion shall be reduced to writing, if the Speaker or any member desire it.

Order of Motions in Debate.

Rule 22. When a question is under debate no motion shall be received, but

1. To fix the time to which the House shall adjourn.
2. Adjourn.
3. To lie on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit or postpone indefinitely, being decided, shall be again allowed on the same day and at the same stage of the bill or proposition.

Motion to Adjourn.

Rule 23. A motion to adjourn shall always be in order except during roll call or pending a motion to fix the time to which the House shall adjourn, and shall be decided without debate.

Previous Questions.

Rule 24. The previous question being moved and seconded, the question from the chair shall be: "Shall the main question be now put." If the nays prevail the main question shall not them be put. The effect of the previous question shall be to bring the House to a direct vote on amendments proposed by a committee, if any; then on other pending amendments (and all amendments which have been read for information of the House by the Clerk shall be regarded as pending amendments); and then upon the main question. The ordering of the previous question shall put an end to all debate, except as follows: Before the vote on an amendment, the proposer of the amendment shall have five minutes, and then the proposer of the measure sought to be amended shall have five minutes; and before the vote upon the main question, the opponents of the measure shall have ten minutes and then the proposer of the measure shall have ten minutes to close the debate. When a measure or an amendment has been proposed by a committee, then the time given to the proposer shall be at the disposal of the chairman of the committee.

Division on Questions.

Rule 25. Any member may call for a division of the question when the sense will admit it.

COMMITMENT OF MOTIONS.

Rule 26. Motions and reports may be committed at the pleasure of the House. (See Rule 17, ante.)

AMENDMENTS.

Rule 27. No motions or propositions on a subject different from that under consideration shall be admitted under color of amendment.

ELECTIONS.

Rule 28. In all cases of elections there shall be a previous nomination before the House.

PETITIONS, MEMORIALS, ETC.

Rule 29. Petitions, memorials, and other papers, addressed to the House, may be presented by any member in his place; and in such case he shall briefly state the contents of said petitions, memorials, and other papers, and which may be received, read and referred on the same day, by agreement of the House.

CALL OF YEAS AND NAYS.

Rule 30. Upon a call of the yeas and nays on any question, the names of the members shall be called alphabetically, which shall be made at any time when a division or a count may be had, and upon the completion of any roll call the Speaker shall, upon the request of any member, order the Clerk to call the absentees once.

Call of the House.

Rule 31. On a call of the House the door shall not be shut against a member until his name is called twice, and then absentees shall be noted by the Clerk and fined one dollar, unless excused by the House.

Voting.

Rule 32. No member shall vote on any question in which he is directly or indirectly interested, or on any question unless he was within the bar of the House before the result was announced.

Rule 33. Every member in the House when a question is put, or present before the result is announced shall vote unless excused by the House; and all motions to excuse a member from voting shall be made before the House divides or before the call of the yeas and nays is commenced; and the motion or question to excuse a member shall be decided without debate, and in no event shall any member be excused from voting on a motion to excuse another member from voting. But this rule shall not apply to the Speaker, whose name shall not be called, except on his own request, and then only at the end of the roll call, and before the result is announced; but in all cases of a tie the Speaker shall vote.

Rule 34. Before a vote shall be counted, the member casting it shall be either at his seat or visibly approaching it.

Order of Business.

Rule 35. The order of business each day shall be as follows:

1. The reading of the Journal of the preceding day and

the correction of any errors that may be found to exist therein.

2. Petitions.

3. Motions and resolutions, limited to one hour.

4. Reports of special and standing committees in the order as given in Rule 41.

5. The orders of the day, which shall be called at 12 o'clock each day.

6. Any business which did not belong to the orders of the day and which remains unfinished upon the adjournment of the House, or upon the call of the standing orders of the day, shall be the first business in order each day, upon the convening of the House. Any business which belongs to the standing orders of the day, which remains unfinished upon the adjournment of the House, shall be the first business when the orders of the day are resumed.

Introduction of Bills.

Rule 36. Subdivision 1. On each day after the first order above named in Rule 35, there shall be a call of the counties, and representative districts for the introduction of bills and joint resolutions, which shall be privileged and take precedence of all other business of the House; provided, that the orders of the day be called for precisely at 12 o'clock on each day; and, provided further, that upon the call of counties on the days provided for the presentation of bills, in the event every county shall not have been called, the Clerk shall, on the next day, commence the call where he left off at the last call.

On the call of each county and representative district, the member from said county shall rise from his seat and, addressing the chair, send to the Clerk's desk any bill or bills or joint resolution which he wishes to introduce, with the title thereof indorsed thereon in a plain and legible hand,

which bill or joint resolution shall be read by its title, and thereupon the Speaker shall order the same to be printed and refer the same to its appropriate committee for consideration and report and from such order of reference by the Speaker, the member introducing the bill may appeal to the House if he so desires. All bills shall be printed and distributed in the order in which they are introduced, and the usual number of copies of the same shall be printed for the use of the members of the Senate and House.

Subdivision 2. Upon the report of a bill or joint resolution by any committee, the Clerk shall report the same in full, which shall be considered the first reading of the bill or joint resolution, and shall be so entered upon the Journal. Any standing or special committee may originate a bill and introduce the same, when it shall have its first reading and be ordered printed.

Subdivision 3. The Clerk shall keep a register of all bills introduced in the House, or transmitted for concurrence from the Senate, in which shall be recorded under appropriate heads, the progress of such bills from the date of their introduction to the time of their transmission, if House bills, to the Governor, or if Senate bills, their return to the Senate.

Subdivision 4. When a bill has had its first reading it shall be placed by the Clerk in a calendar to be kept by him, and said calendar shall be separate from the bills in the orders of the day. Each day when the House enters into the consideration of the orders of the day, the Clerk shall take up the calendar and give all bills therein their second reading, except such as have been placed there upon that day.

Rule 37. When a bill has been read a second time it shall be placed in the orders of the day or recommitted, and when next reached in the House, it shall be ready for amend-

ment, recommitment or debate, or to be read a third time and placed upon its passage. A bill may be recommitted at any time before its passage.

Rule 38. When a bill shall have been referred to any committee, it shall be the duty of the chairman of such committee, to submit the bill to the consideration of his committee, and such committee shall make such amendments to said bill as it may deem proper, and report said bill to the House with such amendments. A majority of the members of a committee shall be present before a bill may be considered. No bill shall be considered or a report on same determined upon, except when the committee is in session. A committee in reporting a bill to the House shall make its report in writing, and such report shall be signed by a majority of such committee, but after said majority report has been made the minority may make its report, which shall also be in writing and signed by the members of the committee making such report. Bills shall not be engrossed except by order of the House; and the style of every bill shall be: "Be it enacted by the General Assembly of the Commonwealth of Kentucky." Provided, however, that no committee shall hold, or refuse to report a bill for an unreasonable time, and if same shall not be reported in a reasonable time, the said bill may be called up by any member of the House and be considered in the same manner it would have been considered if it had been reported without expression by such committee. The House shall at all times be the judge of what shall constitute a reasonable or unreasonable length of time under this provision.

Rule 39. When a bill passes, it shall be certified by the Clerk who, at the foot thereof, shall note the day on which it passed.

Suspension of the Rules.

Rule 40. The standing rules of the House and the regular order of business shall not be suspended, amended or interrupted unless by a vote of two-thirds of the members present and voting; provided, however, that this rule shall not prevent, by a majority vote, the suspension or postponement of any special order, or of the standing orders of the day for the purpose of completing or continuing the consideration of any measure pending at the time such special or standing order may be reached.

Standing Committees.

Rule 41. The following shall be and constitute the standing committees of the House of Representatives, and each committee shall be composed of nine members, except the Committee on Rules, which shall consist of thirteen members besides the Speaker, and on Revenue and Taxation, which shall be composed of twelve members, and on Enrollments, which shall have five members:

Agriculture.
Alcoholic Liquor Traffic.
Appropriations.
Assignment of Committee Rooms.
Banks and Banking.
Compensation for Industrial Injuries.
Constitutional Amendments.
Corporate Institutions.
Commerce and Manufacturing.
Claims.
Classification of Cities and Towns.
Court of Appeals.
County and City Courts.
Circuit Courts.

Codes of Practice.
Criminal Law.
Charitable Institutions.
Cities of the Fourth Class.
Cities of the Fifth and Sixth Classes.
Confederate Home.
Executive Affairs.
Education.
Enrollment.
Federal Relations.
Fish and Game.
Forestry.
Geological Survey.
Internal Improvements.
Immigration and Labor.
Insurance, Fire and Marine.
Insurance, Life and Accident.
Interurban and City Railways.
Judiciary.
Kentucky Statutes.
Juvenile Courts and Children's Home.
Military Affairs.
Mines and Mining.
Municipalities.
Printing.
Public Library.
Public Offices.
Public Health.
Public Roads and Highways.
Public Ditches and Fences.
Public Bridges.
Public Utilities.
Public Warehouses and Granaries.
Racing Commission.
Railroads.
Revenue and Taxation.

Retrenchment and Reform.
Redistricting, Legislative.
Redistricting, Congressional.
Redistricting, Judicial.
Pure Food.
State Capitol.
State Fair.
Suffrage and Elections.
Sinking Fund.
State Prison and Houses of Reform.
State University and Normal Schools.
Tuberculosis.
Ways and Means.
Rules.

And it shall not be competent for the House by vote or otherwise to add any one to the membership of either of said committees; but a vacancy from any cause may be filled by appointment by the Speaker.

Rule 42. The Committee on Enrollments may report at any time when not excluded by a privileged motion; provided, that when any committee shall have occupied the morning hour on two days, it shall not be in order for such committee to report further until the other committees are called. And provided, also, that no bill shall be reported by any committee which was introduced after said committee began to report.

COMMITTEE OF THE WHOLE.

Rule 43. It shall be the standing order of the day throughout the session for the House to resolve itself into a Committee of the Whole House on the state of the Commonwealth.

Rule 44. When a bill or other matter is committed to a

committee of the Whole House, the question of going into the Committee of the Whole shall be first in the order of the day.

Rule 45. In Committee of the Whole House, bills shall be read and debated by sections, leaving the preamble and the title to be the last considered.

Rule 46. All amendments made to an original House bill or resolution in Committee of the Whole House shall be incorporated in the original and so reported.

Rule 47. All questions, whether in the committee or in the House, shall be disposed of in the order in which they are moved, except that in filling blanks the largest sum and the most remote day shall be put first.

Rule 48. The rules of the House shall be observed in committee when applicable, except the rule limiting the time of speaking.

FINES.

Rule 49. All fines imposed on absentees shall be collected by the Sergeant-at-Arms and covered into the Treasury.

CLERK'S DUTY.

Rule 50. The Clerk or Assistant Clerk shall report all bills or resolutions to the Senate unless otherwise ordered by the House.

Rule 51. No member or other person shall remain by the Clerk's desk when the yeas and nays are being called.

Rule 52. All bills and joint resolutions originating in

the Senate and reported to this House as passed therein, shall be read by their titles, when the Speaker shall refer them to appropriate committees.

Duties of the Enrolling Clerk.

Rule 53. The Enrolling Clerk of the House shall each day call upon the Clerk, and when not engaged in enrolling bills, shall perform such duties as he may direct, take charge of all House bills as soon as they are reported back to the House and ready to be enrolled; keep an accurate account of and carefully preserve all of them; cause them without delay to be plainly and legibly enrolled without blots, erasures, or interlineations, and present the same when enrolled to the Committee on Enrollments, who shall immediately report them to the House for comparison and the signature of the Speaker; and when signed by the Speaker of the House, the Enrolling Clerk shall deliver them at once to the Senate or such committee as may be authorized to receive them in that body. All original House bills shall be returned by the Enrolling Clerk to the Clerk of the House at the time of signing of the enrolled bills, and the Clerk of the House shall carefully preserve them.

Doorkeeper and Sergeant-at-Arms.

Rule 54. The Chief Clerk or his assistant, the Doorkeeper, the Sergeant-at-Arms, and all employes under them shall be in the House thirty minutes before the hour for the House to convene; and five minutes before the hour for the meeting of the House each day, the Doorkeeper and Sergeant-at-Arms shall see that the floor of the House is cleared of all persons, except those privileged to remain. (See Rule 10). And the Sergeant-at-Arms is empowered to deputize as many assistant Sergeants-at-Arms as he may deem necessary to carry out the order of the Speaker under Rule 4 of these rules.

MOTION TO RECONSIDER.

Rule 55. A motion to reconsider any action of the House shall be in order if made in open session for a period of three days, Sunday included, from the time said vote was taken; but such motion shall not be in order after action has been had by the House in consequence of the decision proposed to be reconsidered, or after it has been sent to the Senate or Governor.

GENERAL PROVISIONS.

Rule 56. On all questions not provided for in the foregoing rules, the House shall be governed by parliamentary law or usage; provided, the author of any measure shall have five minutes time in which to explain upon a motion to lay on the table.

Rule 57. Whenever any committee shall report to the House a bill with the expression of opinion that it should not pass, said bill shall not be entitled to a reading unless it is ordered by a vote of the House; and upon the question whether or not said bill shall be read, the report of the committee to the contrary notwithstanding, no debate shall be allowed, except that the originator of the bill, or any one indicated by him, shall have ten minutes in which to explain the bill; and any one member of the committee who favors the report of the committee may have a like time in which to explain the action of the committee, and then if said bill shall be ordered to a reading, it shall be read the first time in full and recommitted or placed in the calendar.

APPROPRIATIONS.

Rule 58. No bill or resolution appropriating money shall come up for final action in the House until it has been

referred to and reported upon by the Committee on Appropriations.

Rule 59. During the last ten days of the session the Committee on Rules shall have the power at any time to call from the orders of the day any bill or resolution, and propose the same to the House for consideration and should the House decide by vote to consider it, it shall be submitted for passage. The committee shall be authorized to call from other committees any bill or resolution in their hands and have them advanced to the reading to which the bills may be entitled. Provided, however, that for the first eight days thereof the said committee shall in its discretion cause to be posted one day prior thereto, a list of bills and resolutions which are to be called, but said committee may withdraw from said list any bills or resolutions so posted, but shall not be permitted to substitute any other bill or resolution therefor.

Rule 60. If any bill, motion or resolution has been by vote carried or lost, and a motion is made to reconsider the vote by which the bill, motion or resolution was carried or lost, and said motion to reconsider is laid upon the table, then no further motion shall be entertained relative to said bill, motion or resolution, unless by the unanimous consent of the House.

Rule 61. All pairs announced in the House shall be entered on the Journal.

Rule 62. When the roll is being called on any proposition and the hour of adjournment arrives, the time for adjournment shall be extended until said roll call has been completed and the result announced.

Rule 63. Five hundred copies of these rules shall be immediately printed for the use of the General Assembly.

S. MAZYCK O'BRIEN,
W. A. PRICE,
C. W. MATHERS,
FRANK C. GREENE,
HARRY J. MEYERS,
GEORGE PICKETT,
ROBERT T. CROWE,
WILLIAM M. DUFFY,
ODIE DUNCAN,
WM. E. DOWLING,
G. H. CARY,
REUBEN B. HUTCHCRAFT, JR.,
J. D. PUMPHREY,
H. C. DUFFY,
Speaker and Ex-officio Chm'n.

Mr. O'Brien moved that said report of the Committee on Rules be adopted.

Mr. Hutchcraft moved that the hour of adjournment be postponed indefinitely.

Said motion to postpone indefinitely was agreed to.

Mr. L. Meriwether Smith moved that the rules offered by the Committee on Rules be taken up for consideration section by section.

With the unanimous consent of the House Mr. Smith was permitted to withdraw said motion.

Mr. Harvey offered the following amendment to Rule 40, offered by the Committee on Rules, viz.:

Amend Rule 40 in report of Committee on Rules by

striking out "two-thirds majority of members present and voting," and substituting "A majority of the members elected to this House."

Mr. Hutchcraft offered the following substitute to Rule 40 proposed by the Committee on Rules, viz.:

Amend Rule 40 by striking out "two-thirds of the members present and voting" and insert in lieu thereof the following:

"Majority vote of the members elected and on one day's notice in writing, specifying precisely the rule or order of business, or part thereof, proposed to be suspended, modified, amended or interrupted, and the purpose thereof."

Mr. Harvey moved the previous question on the amendment offered by him.

Said motion was agreed to.

The question being taken on the substitute offered by Mr. Hutchcraft, and the yeas and nays being required thereon by Messrs. L. Meriwether Smith and W. M. Webb, were as follows, viz.:

Those who voted in the affirmative were—

A. S. Cooper	L. B. Hamilton	W. M. Webb
J. S. Hall		—4

Those who voted in the negative were—

W. C. Allen	G. G. Brashear	Henry A. Cannon
Peter Ampler	Frank J. Brown	Glover H. Cary
H. F. S. Bailey	W. H. Brown	S. B. Coleman
Geo. B. Barrett	E. Bullock	W. P. Cropper

R. T. Crowe	T. R. Jones	Harry P. Purnell
James S. Cruse	W. H. Jones	Richard Radcliffe
H. C. Cummins	H. Clay Kauffman	D. S. Richardson
Thomas A. Dover	Wm. J. Kuh	John T. Roach
W. E. Dowling	W. T. Lasley	Lewis Ryans
William Duffy	M. E. Lee	Joe Schneider
Odie Duncan	Dr. J. E. Lilly	L. M. Smith
J. R. Durham	W. R. Lyon	Claude B. Smith
J. M. Elliston	Dr. C. W. Mathers	John W. Snider
T. T. Gardner	Jacob Metzger	Thomas Spurrier
Wm. Gearheart	Harry J. Meyers	Ed. D. Stone
W. G. Gooch	Claude D. Minor	Bannie Tabor
Frank C. Greene	B. F. McAtee	R. C. Tartar
C. H. Grimes	E. B. McGlone	Robt. R. Treadway
W. B. Harvey	W. J. McMurray	D. B. Tyra
W. C. G. Hobbs	L. T. Neat	J. Wood Vance
A. B. Holland	C. B. Nichols	J. W. Wall
David J. Howard	S. Mazyck O'Brien	John S. Webb
J. M. Howell	William A. Perry	Frank M. White
Chas. L. Hunter	Geo. L. Pickett	J. D. Wills
R.B.Hutchcraft,Jr.	A. B. Pieratt	E. S. Wood
R. B. Jackson	W. A. Price	Louis E. Yewell
J. M. Johnson	J. D. Pumphrey	E. G. Young

—81

And so said substitute to Rule 40 was disagreed to.

The yeas and nays being required on Mr. Harvey's amendment to Rule 40, by Messrs. W. M. Webb and Reuben Hutchcraft, Jr., were as follows:

Those who voted in the affirmative were—

H. F. S. Bailey	R. A. Cook	L. B. Hamilton
Chas. D. Bratcher	A. S. Cooper	W. B. Harvey
G. G. Brashear	James S. Cruse	David J. Howard
Frank J. Brown	H. C. Cummins	J. M. Howell
W. H. Brown	C. H. Grimes	R. B. Jackson
Henry A. Cannon	J. S. Hall	T. R. Jones

W. H. Jones	Richard Radcliffe	J. W. Wall
W. R. Lyon	John T. Roach	W. M. Webb
E. B. McGlone	L. M. Smith	M. O. Wilson
L. T. Neat	Ed. D. Stone	E. S. Wood
Harry P. Purnell	J. Wood Vance	E. G. Young

—33

Those who voted in the negative were—

W. C. Allen	A. B. Holland	Geo. L. Pickett
Geo. B. Barrett	Chas. L. Hunter	A. B. Pieratt
E. Bullock	R.B.Hutchcraft,Jr.	W. A. Price
Glover H. Cary	J. M. Johnson	J. D. Pumphrey
S. B. Coleman	H. Clay Kauffman	D. S. Richardson
W. P. Cropper	Wm. J. Kuh	Lewis Ryans
R. T. Crowe	W. T. Lasley	Joe Schneider
Thomas A. Dover	M. E. Lee	Claude B. Smith
W. E. Dowling	Dr. J. E. Lilly	John W. Snider
William Duffy	Dr. C. W. Mathers	Thomas Spurrier
Odie Duncan	Jacob Metzger	Bannie Tabor
J. R. Durham	Harry J. Meyers	R. C. Tartar
J. M. Elliston	Claude D. Minor	Robt. R. Treadway
T. T. Gardner	B. F. McAtee	D. B. Tyra
Wm. Gearheart	W. J. McMurray	John S. Webb
W. G. Gooch	C. B. Nichols	Frank M. White
Frank C. Greene	S. Mazyck O'Brien	J. D. Wills
W. C. G. Hobbs	William A. Perry	Louis E. Yewell

—54

And so said amendment to Rule 40 was disagreed to.

Mr. H. J. Meyers moved that the vote by which said amendment was disagreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The question then being taken on the adoption of the

said report of the Committee on Rules, said report was then adopted.

Mr. H. J. Meyers moved that this House do now adjourn.

And then the House adjourned to meet again at 9 o'clock P. M. this day.

NIGHT SESSION.

At 9 o'clock P. M. the House reconvened.

A message was received from the Senate through a committee composed of Senators Zimmerman, Glenn, and Robertson, announcing that the Senate was ready to meet with the House in joint assembly for the purpose of executing the joint special order of the day, to-wit, the election of a State Librarian.

Mr. L. Meriwether Smith moved that a committee be appointed to advise the Senate that the House of Representatives is now ready to receive the Senate in joint assembly for executing the joint special order of the day as above mentioned.

Said motion was agreed to.

The Speaker appointed Messrs. L. Meriwether Smith, Perry and Hobbs as said committee.

Said committee retired and after a time returned and reported that they had discharged their duty.

The hour having arrived for the execution of the joint special order of the day, to-wit: the election of a State Librarian to succeed Frank K. Kavanaugh, whose term of office will expire on the first Monday in June, 1916.

The Senate of Kentucky in order, entered upon the floor of the hall of the House of Representatives and in pursuance of a joint rule of the Senate and House of Representatives, the Hon. James D. Black, Lieutenant Governor and President of the Senate, took the chair and presided; the Hon. J. D. Pumphrey, Speaker *pro tem.* of the House of Representatives, took his seat on the left of the Lieutenant Governor.

The two houses of the General Assembly were convened in joint assembly, the same being composed of a majority of all of the members elected to each house.

The roll was called, and the following Senators and Representatives answered to their names, viz.:

In the Senate—

Robert Antle	Hite Huffaker	S. L. Robertson
Chas. D. Arnett	Bishop Huntsman	W. E. Rogers
W. W. Booles	Chas. H. Knight	H. R. Sanders
H. M. Brock	J. Albert Leach	G. G. Speer
Thos. A. Combs	B. C. Lewis	A. E. Stricklett
W. A. Frost	C. F. Montgomery	J. M. Thompson
Seldon R. Glenn	H. G. Overstreet	R. C. B. Trigg
Webster Helm	D. H. Peak	J. H. Williams
D. H. Hildreth	J. F. Porter	J. R. Zimmerman
J. B. Hiles	L. N. Rayburn	—29

In House of Representatives—

Peter Ampler	S. B. Coleman	Odie Duncan
H. F. S. Bailey	W. P. Cropper	J. R. Durham
Chas. D. Bratcher	R. T. Crowe	J. M. Elliston
G. G. Brashear	H. C. Cummins	T. T. Gardner
Frank J. Brown	Jas. R. Dorman	W. G. Gooch
E. Bullock	Thomas A. Dover	Frank C. Greene
Glover H. Cary	W. E. Dowling	C. H. Grimes
A. S. Cooper	William Duffy	J. S. Hall

L. B. Hamilton	B. F. McAtee	John W. Snider
W. B. Harvey	E. B. McGlone	Adam Spahn
W. C. G. Hobbs	W. J. McMurray	Thomas Spurrier
A. B. Holland	L. T. Neat	Ed. D. Stone
David J. Howard	S. Mazyck O'Brien	Bannie Tabor
J. M. Howell	A. J. Oliver	R. C. Tartar
R.B.Hutchcraft,Jr.	William A. Perry	J. H. Thompson
T. R. Jones	Geo. L. Pickett	D. B. Tyra
H. Clay Kauffman	A. B. Pieratt	J. Wood Vance
Wm. J. Kuh	W. A. Price	J. W. Wall
W. T. Lasley	J. D. Pumphrey	John S. Webb
M. E. Lee	Richard Radcliffe	W. M. Webb
Dr. J. E. Lilly	D. S. Richardson	Frank M. White
Dr. C. W. Mathers	John T. Roach	J. D. Wills
Jacob Metzger	Lewis Ryans	E. S. Wood
Harry J. Meyers	Joe Schneider	Louis E. Yewell
Claude D. Minor	L. M. Smith	E. G. Young
S. Montgomery	Claude B. Smith	—77

It appearing that a quorum was present, the Clerk of the House of Representatives read from the Journal of today the announcement made by the Speaker of the House of Representatives in relation to the election of a State Librarian as aforesaid.

Thereupon the President of the Senate announced that nominations for said office were now in order.

Senator W. W. Booles named Mr. Frank K. Kavanaugh, of the county of Franklin, as a suitable person to fill said office.

Mr. R. C. Tartar named Miss Lyda Messer, of Rowan county, as a suitable person to fill said office.

There being no other nominations the vote of the joint assembly was taken and resulted as follows:

Those in the Senate who voted for Mr. Kavanaugh were—

Chas. D. Arnett	Hite Huffaker	G. G. Speer
W. W. Booles	Chas. H. Knight	A. E. Stricklett
Thos. A. Combs	C. F. Montgomery	J. M. Thompson
W. A. Frost	H. G. Overstreet	R. C. B. Trigg
Seldon R. Glenn	D. H. Peak	J. H. Williams
Webster Helm	J. F. Porter	
D. H. Hildreth	S. L. Robertson	
J. B. Hiles	W. E. Rogers	—22

Those in the Senate who voted for Miss Messer were—

Robert Antle	Bishop Huntsman	L. N. Rayburn
H. M. Brock	J. Albert Leach	H. R. Sanders
J. H. Evans	B. C. Lewis	Basil M. Taylor
		—9

Those in the House of Representatives who voted for Mr. Kavanaugh were—

Peter Ampler	W. C. G. Hobbs	William A. Perry
H. F. S. Bailey	A. B. Holland	Geo. L. Pickett
Frank J. Brown	David J. Howard	A. B. Pieratt
Glover H. Cary	J. M. Howell	W. A. Price
S. B. Coleman	R.B.Hutchcraft,Jr.	J. D. Pumphrey
W. P. Cropper	R. B. Jackson	Richard Radcliffe
R. T. Crowe	T. R. Jones	D. S. Richardson
H. C. Cummins	H. Clay Kauffman	John T. Roach
Jas. R. Dorman	Wm. J. Kuh	Joe Schneider
W. E. Dowling	W. T. Lasley	L. M. Smith
William Duffy	M. E. Lee	Claude B. Smith
Odie Duncan	Dr. J. E. Lilly	John W. Snider
J. R. Durham	Dr. C. W. Mathers	Adam Spahn
J. M. Elliston	Harry J. Meyers	D. B. Tyra
T. T. Gardner	Claude D. Minor	J. Wood Vance
W. G. Gooch	S. Montgomery	John S. Webb
Frank C. Greene	B. F. McAtee	J. D. Wills
L. B. Hamilton	W. J. McMurray	Louis E. Yewell
W. B. Harvey	S. Mazyck O'Brien	E. G. Young
		—57

Those in the House of Representatives who voted for Miss Messer were—

Chas. D. Bratcher	Jacob Metzger	Bannie Tabor
G. G. Brashear	E. B. McGlone	R. C. Tartar
E. Bullock	L. T. Neat	J. H. Thompson
A. S. Cooper	A. J. Oliver	J. W. Wall
Thomas A. Dover	Lewis Ryans	W. M. Webb
C. H. Grimes	Thomas Spurrier	Frank M. White
J. S. Hall	Ed. D. Stone	E. S. Wood

—21

It appearing that Frank K. Kavanaugh received a majority of all members elected to each house, a majority of the members of each house being present and voting, the Hon. James D. Black, Lieutenant Governor and President of the Senate, presiding over the joint assembly, announced that the said Frank K. Kavanaugh was duly elected to the office of State Librarian for the term of four years, beginning on the first Monday in June, 1916.

The Journals of the two houses relating to the election of a State Librarian as aforesaid, were read and approved.

Senator Overstreet moved that the joint assembly do now dissolve.

Said motion was agreed to.

The Speaker of the House thereupon resumed the chair, and the House was then in order.

Mr. Hutchcraft moved that the House do now adjourn.

Said motion was agreed to.

TUESDAY, JANUARY 11, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer of the Roman Catholic Church of the city of Frankfort.

The Speaker of the House made the following announcement to the members of the House in writing, viz.:

"To the House of the General Assembly of Kentucky: —My physician still feeling that it will be imprudent for me to leave the hotel, I appoint the Hon. J. D. Pumphrey to preside as Speaker over the House today.

"This Jan. 11th, 1916.

Signed "H. C. DUFFY, Speaker."

Thereupon Mr. J. D. Pumphrey took the chair and presided as Speaker *pro tem.* of the House.

The reading of the Journal of Monday, January the 10th, 1916, was dispensed with.

Mr. Dowling moved that this House do now adjourn.

And then the House adjourned to meet at 10 o'clock A. M. on January 12, 1916.

WEDNESDAY, JANUARY 12, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer, of the Roman Catholic Church, of the city of Frankfort.

The Speaker of the House made the following announcement to the members of the House in writing, viz.:

"The House of Representatives:

"My physician advises me that it will be imprudent for me to attend the session of the House this day on account of my illness, and I appoint the Hon. J. D. Pumphrey to preside as Speaker of the House today.

"This January 12, 1916.

Signed: "H. C. DUFFY, Speaker."

Thereupon Mr. Pumphrey took the chair and presided as Speaker *pro tem.* of the House.

The reading of the Journal of yesterday was dispensed with.

The Speaker announced his appointment of the following as the standing committees of the House for this session:

AGRICULTURE—T. T. Gardner, Chairman; J. M. Elliston, W. P. Cropper, L. E. Yewell, W. G. Gooch, C. B. Nichols, F. M. White, C. D. Bratcher, J. T. Roach.

ALCOHOLIC LIQUOR TRAFFIC—George B. Barrett, Chairman; Peter Ampler, A. B. Pieratt, John T. Murphy, J. R. Durham, Joe Schneider, B. Tabor, T. A. Dover, R. A. Cook.

APPROPRIATIONS—Claude D. Minor, Chairman; Glover H. Cary, D. J. Howard, H. F. Bailey, T. T. Gardner, J. W. Vance, R. C. Tartar, M. O. Wilson, A. J. Oliver.

ASSIGNMENT OF COMMITTEE ROOMS—J. W. Snider, Chairman; E. S. Wood, W. C. Allen, Wm. Duffy, B. F. McAtee, L. B. Hamilton, D. B. Tyra, H. C. Cummins, E. D. Stone.

BANKS AND BANKING—G. H. Cary, Chairman; Claude D. Minor, J. R. Dorman, Adam Spahn, W. A. Price, T. R. Jones, Dr. L. Ryans, J. S. Cruse, T. T. Gardner.

COMPENSATION FOR INDUSTRIAL INJURIES—Wm. Duffy, Chairman; James R. Dorman, D. S. Richardson, Harry J. Meyers, W. A. Price, Frank C. Greene, R. C. Tartar, A. S. Cooper, J. Metzger.

CONSTITUTIONAL AMENDMENTS—J. M. Elliston, Chairman; W. P. Cropper, J. R. Durham, O. Duncan, W. C. G. Hobbs, G. L. Pickett, R. A. Cook, T. A. Dover, R. C. Tartar.

CORPORATE INSTITUTIONS—W. T. Lasley, Chairman; W. B. Harvey, L. B. Hamilton, A. B. Pieratt, A. B. Holland, W. H. Jones, R. B. Jackson, H. A. Cannon, L. T. Neat.

COMMERCE AND MANUFACTURING—Claude B. Smith, Chairman; A. B. Pieratt, J. D. Wills, L. E. Yewell, S. M. O'Brien, W. Gearhart, C. H. Grimes, J. S. Hall, E. B. McGlone.

CLAIMS—J. S. Webb, Chairman; Claude B. Smith, M. E. Lee, E. D. Smith, J. W. Snider, G. B. Moores, L. L. Embry, W. M. Webb, C. D. Bratcher.

CLASSIFICATION OF CITIES AND TOWNS—M. E. Lee, Chairman; W. E. Dowling, C. L. Hunter, E. G. Young, E. D. Smith, J. S. Webb, R. A. Cook, F. C. Trivette, M. O. Wilson.

COURT OF APPEALS—Robert Crowe, Chairman; Claude B. Smith, J. T. Murphy, H. C. Kauffman, W. C. G. Hobbs, L. M. Smith, W. R. Lyon, A. J. Oliver, A. S. Cooper.

CIRCUIT COURTS—L. M. Smith, Chairman; R. Radcliffe, H. C. Kauffman, W. T. Lasley, S. Montgomery, G. H. Cary, W. M. Webb, L. T. Neat, B. Tabor.

COUNTY AND CITY COURTS—E. G. Young, Chairman; F. C. Greene, George Pickett, W. J. McMurray, Wood Vance, D. B. Tyra, E. Bullock, E. S. Wood, F. C. Trivette.

CODES OF PRACTICE—A. J. Oliver, Chairman; W. A. Price, W. R. Lyon, Robt. Crowe, F. J. Brown, H. C. Kauffman, L. T. Neat, W. A. Perry, D. J. Howard.

CRIMINAL LAW—D. J. Howard, Chairman; J. D. Pumphrey, H. F. S. Bailey, R. C. Tartar, W. R. Lyons, A. J. Oliver, G. B. Barrett, J. T. Murphy, W. A. Perry.

CHARITABLE INSTITUTIONS—Dr. C. W. Mathers, Chairman; L. M. Smith, J. D. Pumphrey, C. B. Nichols, W. J. McMurray, E. D. Smith, R. A. Cook, F. M. White, R. B. Jackson.

CITIES OF THE FOURTH CLASS—A. B. Pieratt, Chairman; E. D. Smith, W. E. Dowling, J. D. Wills, D. J. Howard, W. G. Gooch, L. T. Neat, H. P. Purnell, J. Metzger.

CITIES OF THE FIFTH AND SIXTH CLASSES—B. F. McAtee, Chairman; S. Montgomery; C. D. Minor, H. C. Cummins, John W. Snider, Dr. J. E. Lilly, R. B. Jackson, B. Tabor, M. O. Wilson.

CONFEDERATE HOME—J. D. Wills, Chairman; L. M. Smith, S. M. O'Brien, J. T. Roach, R. Radcliffe, W. B. Harvey, L. L. Embry, W. C. Allen, C. H. Bays.

EXECUTIVE AFFAIRS—D. B. Tyra, Chairman; W. B. Harvey, S. Montgomery, A. B. Holland, S. B. Coleman, W. J. Kuh, J. W. Wall, J. H. Thompson, G. B. Moores.

EDUCATION—F. M. White, Chairman; R. Radcliffe, T. R. Jones, W. P. Cropper, J. T. Roach, O. Duncan, W. M. Webb, H. P. Purnell, M. E. Lee.

ENROLLMENT—J. T. Murphy, Chairman; Peter Ampler, R. Radcliffe, J. T. Roach, C. L. Hunter.

FEDERAL RELATIONS—W. B. Harvey, Chairman; J. M. Howell, H. A. Cannon, Claude B. Smith, C. H. Bays, J. S. Webb, E. Bullock, L. B. Hamilton, E. G. Young.

FISH AND GAME—Joe Schneider, Chairman; Adam Spahn R. B. Hutcheraft, Jr., S. M. O'Brien, Claude B. Smith, G. G. Brashear, W. J. McMurray, J. S. Cruse, C. H. Grimes.

FORESTRY—L. B. Hamilton, Chairman; W. J. Kuh, W. A. Price, W. M. Webb, L. E. Yewell, J. W. Snider, J. S. Webb, C. H. Grimes, C. H. Bays.

GEOLOGICAL SURVEY—S. Montgomery, Chairman; A. B. Holland, J. E. Lilly, T. R. Jones, Wood Vance, L. B. Hamilton, J. S. Cruse, J. S. Hall, W. Gearhart.

IMMIGRATION AND LABOR—Peter Ampler, Chairman; F. J. Brown, O. Duncan, W. G. Gooch, B. F. McAtee, J. M. Johnson, R. R. Treadway, J. Metzger, W. H. Brown.

INSURANCE, FIRE AND MARINE—Frank C. Greene, Chairman; W. A. Price, J. D. Pumphrey, Geo. L. Pickett, S. M. O'Brien, Robt. T. Crowe, F. M. White, R. C. Tartar, A. J. Oliver.

INSURANCE, LIFE AND ACCIDENT—R. Radcliffe, Chairman; M. E. Lee, D. S. Richardson, J. R. Dorman, C. B. Nichols, F. J. Brown, R. A. Cook, W. R. Lyon, R. R. Treadway.

INTERURBAN AND CITY RAILWAYS—E. D. Smith, Chairman; Adam Spahn, W. J. Kuh, W. C. G. Hobbs, Dr. J. E. Lilly, E. G. Young, E. B. McGlone, Thos. Spurrier, E. S. Wood.

JUDICIARY—W. J. McMurray, Chairman; L. M. Smith, H. F. S. Bailey, Wm. Perry, W. E. Dowling, H. C. Kauffman, Frank C. Greene, F. M. White, A. S. Cooper.

KENTUCKY STATUTES—H. C. Kauffman, Chairman; D. S. Richardson, J. S. Webb, W. T. Lasley, M. E. Lee, J. R. Dorman, O. Duncan, A. B. Holland, R. A. Cook.

JUVENILE COURTS AND CHILDREN'S HOME—W. A. Price, Chairman; Adam Spahn, W. C. G. Hobbs, C. B. Nichols, L. B. Hamilton, Joe Schneider, R. R. Treadway, J. S. Cruse, Dr. L. Ryans.

MILITARY AFFAIRS—S. M. O'Brien, Chairman; S. B. Coleman, Harry Cummins, S. Montgomery, J. M. Howell, J. M. Johnson, F. C. Trivette, H. A. Cannon, E. D. Stone.

MINES AND MINING—J. D. Pumphrey, Chairman; H. F. S. Bailey, C. L. Hunter, R. B. Jackson, Dr. C. W. Mathers, J. S. Webb, L. L. Embry, E. B. McGlone, C. H. Bays.

MUNICIPALITIES—W. C. G. Hobbs, Chairman; H. J. Myers, Wm. Duffy, J. T. Murphy, Adam Spahn, Peter Ampler, R. R. Treadway, T. A. Dover, Joe Schneider.

PRINTING—C. L. Hunter, Chairman; Adam Spahn, Frank C. Greene, George Barrett, S. B. Coleman, T. R. Jones, W. H. Jones, M. O. Wilson, Thos. Spurrier.

PUBLIC LIBRARY—A. B. Holland, Chairman; J. D. Wills, A. B. Pieratt, L. E. Yewell, W. B. Harvey, J. M. Howell, C. D. Bratcher, W. H. Brown, E. Bullock.

PUBLIC OFFICES—J. T. Roach, Chairman; J. W. Vance, D. B. Tyra, C. B. Smith, C. W. Smith, J. R. Durham, W. H. Jones, C. B. Bratcher, E. B. McGlone.

PUBLIC HEALTH—W. P. Cropper, Chairman; Dr. C. W. Mathers, J. M. Elliston, B. F. McAtee, H. J. Meyers, R. B. Hutchcraft, Jr., Dr. L. Ryans, J. H. Thompson, W. Gearhart.

PUBLIC ROADS AND HIGHWAYS—S. B. Coleman, Chairman; J. W. Vance, E. G. Young, H. C. Cummins, J. R. Dorman, Joe Schneider, W. T. Cropper, J. M. Elliston, J. R. Durham.

PUBLIC DITCHES AND FENCES—L. E. Yewell, Chairman; G. H. Cary, E. D. Smith, Claude B. Smith, O. Duncan, H. F. S. Bailey, J. S. Cruse, T. A. Dover, W. H. Jones.

PUBLIC BRIDGES—H. C. Cummins, Chairman; F. J. Brown, T. T. Gardner, W. G. Gooch, J. M. Howell, J. M. Johnson, J. S. Hall, H. A. Cannon, W. C. Allen.

PUBLIC UTILITIES—Adam Spahn, Chairman; Claude Minor, L. M. Smith, R. B. Hutchcraft, Jr., W. T. Lasley, Geo. Barrett, H. J. Meyers, E. D. Stone, Dr. L. Ryans.

PUBLIC WAREHOUSES AND GRANARIES—J. M. Johnson, Chairman; Ben McAtee, J. M. Elliston, T. T. Gardner, Peter Ampler, Dr. J. E. Lilly, E. Bullock, G. G. Brashear, W. H. Brown.

PUBLIC MONUMENTS AND HISTORICAL RECORDS—W. G. Gooch, Chairman; Dr. J. E. Lilly, A. B. Pieratt, Claude B. Smith, D. B. Tyra, J. D. Wills, G. B. Moores, L. L. Embry, W. Gearhart.

RACING COMMISSION—W. J. Kuh, Chairman; H. J. Meyers, Geo. Barrett, C. B. Nichols, J. T. Murphy, Geo. Pickett, Dr. L. Ryans, J. Metzger, R. T. Crowe.

RAILROADS—Geo. Pickett, Chairman; R. T. Crowe, W. T.

Lasley, J. E. Lilly, C. W. Mathers, O. Duncan, D. S. Richardson, R. A. Cook, W. C. Allen.

REVENUE AND TAXATION—W. A. Perry, Chairman; G. H. Cary, R. B. Hutchcraft, Jr., R. T. Crowe, H. J. Meyers, S. M. O'Brien, L. M. Smith, T. R. Jones, W. A. Price, O. Duncan, W. E. Dowling, C. D. Minor.

RETRENCHMENT AND REFORM—D. S. Richardson, Chairman; F. J. Brown, W. P. Cropper, B. F. McAtee, W. J. McMurray, J. W. Snider, H. P. Purnell, Thos. Spurrier, F. C. Trivette.

REDISTRICTING—LEGISLATIVE—W. E. Dowling, Chairman; A. B. Pieratt, R. Radcliffe, W. P. Cropper, J. M. Elliston, Wm. Duffy, Ben F. McAtee, J. W. Wall, W. C. Allen.

REDISTRICTING—CONGRESSIONAL—H. F. S. Bailey, Chairman; F. J. Brown, J. R. Dorman, T. T. Gardner, A. B. Holland, W. B. Harvey, F. M. White, C. H. Grimes, J. S. Hall.

REDISTRICTING—JUDICIAL—R. B. Hutchcraft, Jr., Chairman; G. H. Cary, D. B. Tyra, D. S. Richardson, J. D. Pumphrey, H. J. Meyers, C. W. Mathers, J. Metzger, J. M. Elliston.

PURE FOOD—T. R. Jones, Chairman; W. T. Lasley, W. J. Kuh, W. A. Perry, J. B. Harvey, L. B. Hamilton, L. Ryans, G. B. Moores, G. B. Barrett.

STATE CAPITOL—O. Duncan, Chairman; S. B. Coleman, S. Montgomery, W. G. Gooch, D. J. Howard, J. M. Howell, E. S. Wood, H. A. Cannon, R. B. Jackson.

STATE FAIR—J. R. Dorman, Chairman; W. J. Kuh, C. L. Hunter, C. B. Nichols, J. M. Johnson, John Snider, L. E. Yewell, W. E. Dowling, J. S. Cruse.

SUFFRAGE AND ELECTIONS—J. W. Vance, Chairman; H. J. Meyers, J. T. Murphy, J. T. Roach, Adam Spahn, H. F. S. Bailey, W. R. Lyons, E. D. Stone, B. Tabor.

SINKING FUND—F. J. Brown, Chairman; H. C. Cummins, T. T. Gardner, A. B. Holland, D. J. Howard, J. M. Howell, C. D. Bratcher, G. G. Brashear, W. H. Brown.

STATE PRISONS AND HOUSES OF REFORM—H. J. Meyers, Chairman; M. E. Lee, S. B. Coleman, John Snider, J. M. Johnson, Frank C. Greene, C. W. Mathers, Wm. Duffy, R. R. Treadway.

STATE UNIVERSITY AND NORMAL SCHOOLS—C. B. Nichols, Chairman; R. T. Crowe, W. T. Lasley, Wm. Duffy, R. B. Hutchcraft, Jr., C. L. Hunter, Geo. Pickett, W. E. Dowling, J. D. Pumphrey.

TUBERCULOSIS—Dr. J. E. Lilly, Chairman; Peter Ampler, J. R. Dorman, W. C. G. Hobbs, W. J. McMurray, W. A. Perry, L. Ryans, H. P. Purnell, Thos. Spurrier.

WAYS AND MEANS—J. M. Howell, Chairman; T. R. Jones, J. T. Roach, E. G. Young, J. D. Wills, John S. Webb, J. H. Thompson, J. W. Hall, W. M. Webb.

INTERNAL IMPROVEMENTS—J. R. Durham, Chairman; C. B. Smith, Geo. Pickett, Peter Ampler, W. P. Cropper, G. B. Barrett, L. T. Neat, M. O. Wilson, H. P. Purnell.

RULES—Speaker H. C. Duffy, Chairman; S. M. O'Brien, Frank C. Greene, George Pickett, R. T. Crowe, H. J. Meyers, C. W. Mathers, W. A. Price, J. D. Pumphrey, W. E. Dowling, G. H. Cary, Wm. Duffy, O. Duncan, R. B. Hutchcraft, Jr.

The Speaker laid the following communication before the House, viz.:

"January 12, 1916.

"To the Members of the General Assembly
of the Commonwealth of Kentucky:

"Gentlemen:—You are hereby cordially invited to be present this evening at eight o'clock in the House of Representatives, when his Excellency, Gov. A. O. Stanley, will address the assembled County Superintendents of Schools of Kentucky.

"L. H. GREGG,
E. W. CREAL,
L. D. STUCKER,
Committee."

Mr. Hobbs moved that said invitation be accepted by the House.

Said motion was agreed to.

Mr. Stone offered the following joint resolution, viz.:

Resolution relating to appointing a committee to inquire into and investigate the expenditures of all departments of the State:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That for the purpose of advising the members of the Senate and House of Representatives as to whether or not there can be secured a more economic management of the State affairs, a committee of six be appointed, consisting of three members on the part of the Senate, to be appointed by

the President of the Senate, and three members on the part of the House, to be appointed by the Speaker of the House, which committee shall inquire into and investigate the expenditures of all the departments of State, and suggest ways and means of curtailing expenses or reducing the number of employes, provided that the same can be done without impairing the efficiency of such departments.

That such committee be given power to send for persons, papers, and documents, to compel the attendance of witnesses before the committee (when such witnesses can be obtained without any expense on the part of the State), to administer oaths and to have access to all the departments of the State, and be required to report fully the evidence taken by it and its findings therein before the final adjournment of this session of the General Assembly.

Said committee by written notice can demand the attendance of State officials, whether elected or appointed, and receive such information as they deem expedient from said officer. Said committee shall elect its chairman and secretary.

EDWARD D. STONE,
Crittenden County.

Ordered that said resolution lie on the Clerk's desk.

Mr. Nichols moved that the Committee on the Assignment of Committee. Rooms be instructed to make arrangements, if possible, for committee meetings to be held in the old Capitol Building for the convenience of the members of the various committees of this House.

Said motion was agreed to.

Mr. Spahn offered the following joint resolution, viz.:

Resolution to provide the members of the Senate and House and the President of the Senate with copies of the Kentucky Statutes and Codes of Practice.

Whereas, it is necessary for the members of the General Assembly in the proper and efficient discharge of their duties during the session of the Legislature to have a ready reference to the laws heretofore enacted and which are now in force as the laws of the Commonwealth of Kentucky:

Therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

First. That the State Librarian be and is hereby directed to purchase of the publishers and furnish to each member of the House and Senate and the President of the Senate and the Speaker of the House a copy each of the latest edition of the Kentucky Statutes and Codes of Practice (same to remain the property of the State of Kentucky and to be returned to the State Librarian at the end of the session.)

Second. It being necessary that the officials should have the books herein provided for, an emergency is declared to exist, and this resolution shall be in force upon its approval by the Governor.

Mr. Crowe offered the following amendment to said resolution, viz.:

Moved that the resolution providing for the furnishing of copies of the Kentucky Statutes and Codes to the members of the General Assembly be amended by striking out the words: "And furnish to each member of the House and Senate and the President of the Senate and the Speaker of the

House a copy each of the latest edition of the Kentucky Statutes and Codes of Practice," and substituting therefor the words: "Six copies each of the latest edition of the Kentucky Statutes and Codes of Practice for the use of the members of the General Assembly."

Ordered that said resolutions lie on the Clerk's desk.

Mr. Speaker Duffy asked the unanimous consent of the House to withdraw from his report of Standing Committees for further consideration thereof, the following two committees, viz.: State University and Normal Schools and State Prisons and Houses of Reform.

Said request was unanimously granted.

Mr. Greene offered the following joint resolution, viz.:

A resolution directing the Auditor of Public Accounts to refund the various former liquor dealers in the counties of Kentucky that have become dry since June 15th, 1914, that portion of the State license that was unearned at the time it became unlawful to sell by retail spirituous, vinous or malt liquors in said counties.

Whereas, under Section 2557 of the Kentucky Statutes as re-enacted by the Legislature of 1914, it became lawful to hold local option elections in the various counties of this Commonwealth upon the petition of twenty-five per cent of the voters of said county, and if a majority of votes cast at said election were against the sale, barter or loan of spirituous, vinous or malt liquors in said county, even though the licenses had been issued for a longer period, it became unlawful to sell such liquors by retail after the expiration of sixty days from the date of the entry of the certificate of the Canvassing Board in the order book of the county court, and after the expiration of said sixty days no license there-

tofore issued in said territory, under the laws of this State, should be of any force or effect whatever, but the owners of said licenses shall be entitled to recover from said county, city, town, district or precinct, to which the license money was paid, such proportion thereof as the unexpired period of the license bears to the whole year; and whereas the money for the State license was paid to the County Clerk of the various counties and was by him turned over to the Auditor of the State of Kentucky, and whereas it was clearly the intention of the Legislature of 1914 that the unearned portion of the licenses should be returned by the State and that the State should not accept and keep money for a privilege which it did not protect;

Therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the Auditor of Public Accounts of the State of Kentucky is hereby directed to issue his warrant on the State Treasury in favor of the various holders of State licenses in those counties which have become dry since June 15th, 1914, for such proportion of said State license as the unexpired period of the license bears to the whole year, and the Treasurer is hereby authorized to pay said amount. That is to say, he shall ascertain the date it became unlawful to sell spirituous, vinous or malt liquors in said county and shall refund to the various holders of such licenses the unearned portion thereof.

Section 2. This money having long since been due, an emergency is hereby declared to exist and this resolution shall take effect from and after its adoption.

Ordered that said resolution lie on the Clerk's desk.

Mr. W. M. Webb offered the following joint resolution, viz.:

Resolution requesting the State Inspector and Examiner to furnish to the General Assembly certain information.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Inspector and Examiner be requested and instructed to furnish to the General Assembly of the Commonwealth of Kentucky, as soon as practicable, a classified list of the names, addresses, work and duties performed by and salaries and wages paid to each and every official and employee on the State's pay roll, in each and every Department and Institution of the Commonwealth of Kentucky, and in, around about the Capitol Building and other buildings under the supervision and control of the Commonwealth of Kentucky.

Be it resolved, that a committee of three be appointed by the Speaker of the House of Representatives, and a Committee of three by the President of the Senate to wait upon the State Inspector and Examiner and request such information.

Ordered that said resolution lie on the Clerk's desk.

Mr. Stone offered the following joint resolution, viz.:

Resolution urging Representatives in Congress to pass a measure protecting American labor against foreign immigration.

Whereas, The working people of the United States of America stand in need of labor protection by their National Government; and whereas, the working people—if they must be distinguished from the minority that constitutes the rest of it—are, of course, the backbone of the nation. With the vast and wonderful improvements of the twentieth century there

should be not only the necessaries of life for those who toil, but comforts and luxuries as well; what is a reasonable price for labor, such a price as will enable the man to live, to have the comforts of life, to lay by something for his declining years, so that he can have his own home, his own fireside —so that he can preserve the feelings of a man. We sympathize with every honest effort made by the children of labor to improve their condition. No law that safeguards their life, that improves the physical and moral conditions under which they live, that gives them freedom to act in their own interest, that makes their hours of labor rational, and that protects them where they cannot protect themselves, can properly be regarded as anything less than a measure taken in the interest of the whole people; and

Whereas, In the affairs of a great nation we should plan and labor not for the present only, but for the long future as well, it is in this spirit that we shall act if we are genuine spokesmen of the whole country.

Now, Therefore, Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the General Assembly of Kentucky in session urge the Representatives in National Congress to pass a law protecting the labor of the United States of America, against foreign immigration upon our soil for the purpose of cheapening our labor;

And further, That a copy of this resolution be forwarded to the United States Congress.

Signed EDWARD D. STONE,
Crittenden County, Kentucky.

Ordered that said resolution lie on the Clerk's desk.

Upon the call of the counties and representative dis-

tricts, the following bills were introduced, ordered printed and referred, viz.:

By Mr. Neat:

H. B. 1. An act to repeal Section 68a, Kentucky Statutes, relating to tax on dogs.

To Committee on Kentucky Statutes.

By Mr. Vance:

H. B. 2. An act to promote pure elections, primaries and conventions, and to prevent corrupt practice in the same; to limit the expenses of candidates; to prescribe the duties of candidates and providing penalties and remedies for violations and declaring void, under certain conditions, elections in which these provisions or any of them have been violated.

To Committee on Suffrage and Elections.

By Mr. Tabor:

H. B. 3. An act providing for the release of Civil War Soldiers, both Federal and Confederate, from paying poll tax.

To Committee on Federal Relations.

By Mr. Green:

H. B. 4. An act to amend the Constitution of the Commonwealth of Kentucky as to the office of Superintendent of Public Instruction.

To Committee on Constitutional Amendments.

By Same:

H. B. 5. An act relating to the sale of intoxicating liquors and the suppression of places where such liquors are sold or used or kept for sale or use contrary to law.

To Committee on Alcoholic Liquor Traffic.

By Same:

H. B. 6. An act to provide for the forfeiture of license to sell intoxicating liquors and giving jurisdiction to hear such proceeding to the Judge of the Franklin Circuit Court, at Frankfort, Ky.

To Committee on Alcoholic Liquor Traffic.

By Mr. Oliver:

H. B. 7. An act exempting all Federal and Confederate Soldiers in this State from paying a poll tax.

To Committee on Revenue and Taxation.

By Same:

H. B. 8. An act to amend sections 4130, 4143 and 4148, Carroll's 1915 edition of Kentucky Statutes, relating to Revenue and Taxation.

To Committee on Kentucky Statutes.

By Mr. Cook:

H. B. 9. An act to amend section 227 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Same:

H. B. 10. An act to repeal and re-enact section 1488, Kentucky Statutes, relating to registration in cities and towns.

To Committee on Kentucky Statutes.

By Same:

H. B. 11. An act to establish a State Normal and Industrial Institute for Negroes in Western Kentucky; to create a board of regents for the general management thereof, which shall determine the requirements for admission and graduation, and the course of study for said school; to create a commission which shall determine the location of said school, and to appropriate funds for its maintenance.

To Committee on State University and Normal Schools.

By Mr. Stone:

H. B. 12. An act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling of railroads within the boundary of this State in part or in whole.

To Committee on Railroads.

By Same:

H. B. 13. An act to provide for registration of persons employed to advocate or oppose legislative measures, and to regulate the method of such advocacy or opposition.

To Committee on Judiciary.

By Same:

H. B. 14. An act to amend an act entitled "An act to promote the sheep industry and provide a tax on dogs," approved March 1st, 1906.

To Committee on Kentucky Statutes.

By Same:

H. B. 15. An act making it unlawful for public officers to receive free pass or passes, or reduced rates from common carriers, or for common carriers to give free pass or passes, or reduced rates to public officers, or any person, except as herein provided, and prescribing the punishment for the breach thereof together with the jurisdiction for the trial of offenses committed thereunder.

To Committee on Railroads.

By Same:

H. B. 16. An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relating thereto, and providing for the punishment thereof.

To Committee on Suffrage and Elections.

By Mr. Cruse:

H. B. 17. An act defining and punishing conspiracies against the Commonwealth of Kentucky.

To Committee on Criminal Law.

By Same:

H. B. 18. An act creating a State Board of Accountancy, prescribing its powers and duties; providing for examinations and issuing certificates to qualified public accountants, and providing penalties for violation of the provisions of this act.

To Committee on Municipalities.

By Mr. Yewell:

H. B. 19. An act to repeal section 1486 of Carroll's Kentucky Statutes in so far as the same applies to cities of the third and fourth classes and to provide in lieu thereof a system of registration of voters in such cities and towns.

To Committee on Suffrage and Elections.

By Same:

H. B. 20. An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners and to provide penalties for violating the provisions thereof.

To Committee on Agriculture.

By Mr. Hobbs:

H. B. 21. An act to declare the willful desertion of indigent children under the age of sixteen years by parents a felony, and to provide punishment therefor and to empower circuit courts of this Commonwealth to put said parents on probation.

To Committee on Juvenile Courts and Children's Home.

By Same:

H. B. 22. An act authorizing the fiscal court in each county having therein a city of the second class to acquire a law library and to provide for the maintenance and operation of same.

To Committee on Municipalities.

By Same:

H. B. 23. An act regulating the right of foreign corporations to do a trust business in this State and to act as trustee under deeds of trust and mortgages.

To Committee on Banks and Banking.

By Same:

H. B. 24. An act to amend section 4021a, Kentucky Statutes, relating to tax title and the limitation of time in which suit may be brought thereon.

To Committee on Kentucky Statutes.

By Same:

H. B. 25. An act creating the office of Assistant Commonwealth's Attorney in each county containing a city of the second class and in which the said county constitutes a separate judicial district.

To Committee on Municipalities.

H. B. 26. An act providing for the appointment of

four special circuit judges for the State-at-large, fixing their terms and salaries and defining their duties.

To Committee on Judiciary.

By Same:

H. B. 27. An act making it a misdemeanor to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances.

To Committee on Criminal Law.

By Same:

H. B. 28. An act to authorize counties to provide for the dependent families of persons sentenced to jail or workhouse at hard labor.

To Committee on Criminal Law.

By Same:

H. B. 29. An act to amend section 297 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Same:

H. B. 30. An act to amend section 440 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Same:

H. B. 31. An act to establish a State Art Commission, and to provide for the duties and powers thereof, and appropriating money therefor.

To Committee on Appropriations.

By Same:

H. B. 32. An act to further regulate and control the construction and reconstruction of streets and sidewalks in cities of the second class in this Commonwealth.

To Committee on Municipalities.

By Mr. Nichols:

H. B. 33. An act to amend and re-enact an act entitled "An act relating to fiscal courts," approved March 13th, 1912, being chapter 74 of the Acts of 1912, and being also section 1840a of the Kentucky Statutes.

To Committee on County and City Courts.

By Mr. John S. Webb:

H. B. 34. An act creating the new county of Stanley.

To Committee on Kentucky Statutes.

By Mr. Hamilton:

H. B. 35. An act to amend and re-enact section 61 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. McMurray:

H. B. 36. An act to amend section 145 of the Constitution of the Commonwealth of Kentucky authorizing the General Assembly to provide by appropriate legislation for a poll tax receipt as an additional qualification for the right of suffrage.

To Committee on Constitutional Amendments.

By Mr. Roach:

H. B. 37. An act to amend subsection 5 of section 13 of the Criminal Code, extending the jurisdiction of county judges and justices in criminal cases.

To Committee on Codes of Practice.

By Same:

H. B. 38. An act to decrease the fees of the jailors.

To Committee on County and City Courts.

By Mr. Lyon:

H. B. 39. An act to allow taxpayers to pay railroad tax and receive receipt for same.

To Committee on Railroads.

By Mr. Duncan:

H. B. 40. An act to change the date for the payment of State, county and district taxes.

To Committee on Revenue and Taxation.

By Mr. Radcliffe:

H. B. 41. An act to regulate lobbyists and lobbying.

To Committee on Judiciary.

By Same:

H. B. 42. An act to amend an act entitled "An act making it unlawful to purchase, procure or deliver spirituous, vinous and malt liquors in local option territory;" adopted by the General Assembly at its 1912 session, and became a law without the approval of the Governor, being chapter 146, in the volume of acts of the General Assembly at its 1912 session; and being section 2572a, Kentucky Statutes, 1915 edition.

To Committee on Alcoholic Liquor Traffic.

By Mr. Bailey:

H. B. 43. An act to regulate the registration of voters.

To Committee on Suffrage and Elections.

By Same:

H. B. 44. An act amending paragraph 1, of section 606 of Carroll's 1913 edition of the Kentucky Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Spahn:

H. B. 45. An act creating the office of supervisor of ditches, public drains, non-navigable streams, and prescrib-

ing the duties of same, in counties containing more than 250,000 population.

To Committee on Public Ditches and Fences.

By Mr. Perry:

H. B. 46. An act making unlawful the use of any statement of fact in any advertisement, which statement is untrue, deceptive or misleading, and providing a penalty for any violation of this act.

To Committee on Criminal Law.

By Same:

H. B. 47. An act to amend part of an act entitled "An act for the government of cities of the first class," approved July first, eighteen hundred and ninety-three, which relates to revenue and taxation, as amended at the regular session of the General Assembly during the year 1910, being section 3002, of the Kentucky Statutes of 1915.

To Committee on Municipalities.

By Same:

H. B. 48. An act to amend an act of March 12, 1912, entitled "An act limiting the time in which the enforcement of tax titles and tax liens may be effected."

To Committee on Kentucky Statutes.

By Mr. Ryans:

H. B. 49. An act to amend the Kentucky Statutes, chapter 89, section 2928a, by adding thereto section 2928b,

creating the office of court matron for the police court of cities of the first class, and prescribing her rights and duties and compensation.

To Committee on Municipalities.

By Mr. Wm. Duffy:

H. B. 50. An act authorizing the Board of Election Commissioners in counties having cities of the first class to employ assistants, stenographers and clerks to aid in the tabulation of the vote at each election, and authorizing the fiscal court of the county to pay such employes.

To Committee on Municipalities.

By Mr. Webb:

H. B. 51. An act to amend and re-enact section 61 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Same:

H. B. 52. An act requiring bakers to wrap loaves of bread.

To Committee on Pure Food.

By Same:

H. B. 53. An act to authorize the guardian of an infant and the committee of an idiot or lunatic to lease the real estate of such infants, idiots or lunatics for mining purposes.

To Committee on Kentucky Statutes.

By Mr. Murphy:

H. B. 54. An act to amend an act entitled "An act to regulate elections and to fix the penalties against frauds in elections."

To Committee on Suffrage and Elections.

By Mr. Price:

H. B. 55. An act to amend an act entitled "An act to regulate elections in this Commonwealth," approved June 22, 1892.

To Committee on Suffrage and Elections.

By Same:

H. B. 56. An act to amend an act entitled "An act for the government of cities of the second class in the Commonwealth of Kentucky," approved March 19, 1894.

To Committee on Municipalities.

By Same:

H. B. 57. An act to further regulate railroads and to provide for the safety of employes on trains.

To Committee on Railroads.

By Mr. Meyers:

H. B. 58. An act to amend the Constitution of the Commonwealth of Kentucky, by providing ways and means for redistricting the State Senate and House of Representatives, increasing the membership of both Houses; creating a

redistricting board and fixing the duties and qualifications of its members, and fixing the pay of the members of the General Assembly.

To Committee on Redistricting—Legislative.

By Same:

H. B. 59. An act to regulate the holding of the terms of circuit court in the Thirty-fourth Judicial District.

To Committee on Circuit Courts.

By Same:

H. B. 60. An act to protect purchasers of bonds and notes secured directly or indirectly by lien or mortgage upon real or personal property.

To Committee on Revenue and Taxation.

By Same:

H. B. 61. An act to amend section 3449 of the Kentucky Statutes, the object of which is to amend the Statutes of Kentucky so that cities of the third class may pay for construction of streets in installments.

To Committee on Municipalities.

By Mr. Bays:

H. B. 62. An act to regulate the holding of the terms of the circuit court in the Thirty-fourth Judicial District.

To Committee on Circuit Courts.

By Mr. Wilson:

H. B. 63. An act to regulate the time of holding the terms of the circuit court in the Twentieth Judicial District.

To Committee on Circuit Courts.

By Mr. Johnson:

H. B. 64. An act to amend and re-enact section 1214, chapter 36, Carroll's Kentucky Statutes, relating to marriage in case of breach of promise.

To Committee on Kentucky Statutes.

By Mr. Treadway:

H. B. 65. An act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

To Committee on Corporate Institutions.

By Same:

H. B. 66. An act to regulate the operation of freight trains upon railroads, promoting the safety of employes and travelers by prohibiting the operation of freight trains of more than one-half mile in length, and providing a penalty therefor.

To Committee on Railroads.

By Mr. Tartar:

H. B. 67. An act requiring persons, associations and corporations operating railroads in this Commonwealth to pay employes thereof twice monthly.

To Committee on Railroads.

By Same:

H. B. 68. An act to create the Thirty-sixth Judicial District of Kentucky, and to change the Twenty-seventh, Twenty-eighth, Twenty-ninth and Thirty-fourth Circuit Court Judicial Districts, and to provide for holding of courts in the said Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirty-fourth and Thirty-sixth Judicial Districts, and to provide for Judges and Commonwealth's Attorneys in said Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirty-fourth and Thirty-sixth Judicial Districts.

To Committee on Circuit Courts.

By Mr. L. M. Smith:

H. B. 69. An act to regulate lobbying, the employment and the registration of legislative counsel and legislative agents.

To Committee on Judiciary.

By Same:

H. B. 70. An act forbidding the use or acceptance of free or reduced rate transportation by public officials and their families, and forbidding the furnishing to such officials or their families of such transportation by common carriers.

To Committee on Railroads.

By Same:

H. B. 71. An act further regulating common carriers

and prescribing the duties and powers of the Railroad Commission with reference thereto.

To Committee on Railroads.

By Mr. Cary:

H. B. 72. An act to amend section 965 of the Kentucky Statutes relating to circuit courts in the Sixth Judicial District.

To Committee on Circuit Courts.

By Mr. White:

H. B. 73. An act fixing the time of holding the election of school trustees throughout this Commonwealth.

To Committee on Suffrage and Elections.

By Same:

H. B. 74. An act to create the 16th and 19th Senatorial Districts of Kentucky.

To Committee on Redistricting—Legislative.

By Mr. Pieratt:

H. B. 75. An act changing the times for holding the sessions of circuit courts of the Twenty-first Circuit Court District of Kentucky.

To Committee on Circuit Courts.

By Mr. Tyra:

H. B. 76. An act to create the Thirty-sixth Judicial

District of Kentucky, composed of the counties of Breathitt and Wolfe.

To Committee on Redistricting—Judicial.

By Mr. Wood:

H. B. 77. An act to amend section 2557a of the Kentucky Statutes, relating to the sale of intoxicating beverages.

To Committee on Alcoholic Liquor Traffic.

By Mr. Crowe:

H. B. 78. An act enlarging the power of circuit courts to suspend or disbar attorneys at law and regulating the practice in such proceedings.

To Committee on Circuit Courts.

By Mr. Mathers:

H. B. 79. An act relating to revenue and taxation, repealing section 1, subdivision 4, article 12, chapter 22 of the Session Acts 1906, being section 4224 Kentucky Statutes, and enacting and substituting in lieu thereof the following.

To Committee on Kentucky Statutes.

By Mr. Smith:

H. B. 80. An act to amend and re-enact section 3483, chapter 89 Kentucky Statutes, Carroll edition, relating to adding to or striking off territory of cities of the fourth class; being an act of June 28, 1893, amended March 22, 1902, and previously amended March 24, 1894, and March 17, 1898.

To Committee on Cities of the Fourth Class.

By Mr. Schneider:

H. B. 81. An act to repeal an act entitled "An act designating the method of selecting a person to act in the absence of, or disqualification of, a county judge," approved March 19th, 1912, and known as chapter 139 of the Session Acts of 1912, and to re-enact section 1059 of the Kentucky Statutes of 1909, compiled by Hon. Jno. D. Carroll.

To Committee on County and City Courts.

By Mr. Young:

H. B. 82. An act prohibiting the use or discharge of firearms or other dangerous missiles by persons on steamboats or other crafts traversing or navigating the streams within this State or while moored to the bank.

To Committee on Criminal Law.

By Mr. Durham:

H. B. 83. An act creating a State Board of Accountancy prescribing its powers and duties, providing for examinations and issuing certificates to qualified public accountants, and providing for penalties for violation of the provisions of this act.

To Committee on Municipalities.

By Mr. Harvey:

H. B. 84. An act fixing the jurisdiction of county judges and justices of the peace in criminal cases.

To Committee on Criminal Law.

By Same:

H. B. 85. An act to amend sections 2251 and 2260 of Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Gardner:

H. B. 86. An act to regulate the running at large of cattle and prescribing penalties and regulations against cattle entering the grounds of another from a public highway.

To Committee on Agriculture.

By Mr. Hutchcraft, Jr.

H. B. 87. An act to provide for the determination of heirship of deceased persons.

To Committee on Kentucky Statutes.

By Mr. Oliver:

H. B. 88. An act to amend an act entitled "An act relating to revenue and taxation, providing for license taxes on compounded, rectified, adulterated or blended distilled spirits, known and designated as single-stamp spirits, and providing penalties for violations of its provisions.

To Committee on Revenue and Taxation.

By Same:

H. B. 89. An act to amend section 64, section 68 and subsection 2 of section 68 of article 3 of chapter 5 of the acts of March 1st, 1906, entitled "An act to promote the sheep industry and provide a tax on dogs."

To Committee on Agriculture.

By Same:

H. B. 90. An act providing that all persons charged with criminal or penal offences in all courts inferior to circuit courts in this Commonwealth, except in cities of the first, second, third and fourth classes, shall be entitled to trial by jury.

To Committee on Judiciary.

Mr. L. M. Smith moved that the House do now adjourn.

Said motion was agreed to.

THURSDAY, JANUARY 13, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer of the Roman Catholic Church, of the City of Frankfort.

The Speaker of the House made the following announcement to the members of the House in writing, viz.:

"I hereby designate the Hon. J. D. Pumphrey to preside as Speaker over the House today.

"This Jan. 13th, 1916.

(Signed) "H. C. DUFFY, Speaker."

Thereupon, Mr. Pumphrey took the chair and presided as Speaker *pro tem.* of the House.

The reading of the Journal of yesterday was dispensed with.

The Speaker announced that the two committees asked to be withdrawn from the report of the standing committees made on yesterday, viz.:

The Committee on State University and Normal Schools, and the Committee on State Prisons and Houses of Reform will stand as originally named and read to the House.

Said committees are as follows:

STATE UNIVERSITY AND NORMAL SCHOOLS—C. B. Nichols, Chairman; R. T. Crowe, W. T. Lasley, Wm. Duffy, R. B. Hutchcraft, Jr., C. L. Hunter, Geo. Pickett, W. E. Dowling, J. D. Pumphrey.

STATE PRISONS AND HOUSES OF REFORM—H. J. Meyers, Chairman; M. E. Lee, S. B. Coleman, John Snider, J. M. Johnson, Frank C. Greene, C. W. Mathers, Wm. Duffy, R. R. Treadway.

Mr. Perry offered the following resolution, viz.:

"Resolved, that the Book of Rules of the House of Representatives, when printed, contain the names of the Committees of this House and the names of the members of such Committees.

(Signed) "W. A. PERRY,
49th Dist."

Said resolution was adopted.

Mr. Bullock offered the following resolution, viz.:

"Whereas, the finances of Kentucky are in a condition that calls for heroic action and the most drastic retrenchment and reform and curtailing of unnecessary expenses and the elimination of useless charges upon the State; and, Whereas, in a resolution this House has invited the ministers of Frankfort to offer an invocation at the opening of each session; and, Whereas, it has been a custom in some former sessions to pay the ministers of Frankfort for aforesaid services; and, Whereas, there is now among the membership of this body several able ministers of God who are able to invoke upon us Divine blessings;

"Therefore, be it resolved that the Sergeant-at-Arms be instructed to inform the ministers of Frankfort that their ministrations will be pleasing and acceptable to us, but they are expected to be rendered without remuneration or reward, and, if said ministers do not desire to attend under these conditions, that the Sergeant-at-Arms designate a minister from among the membership of this House each morning to offer up prayer for Divine guidance.

(Signed) "E. BULLOCK."

Said resolution was declared out of order.

Mr. Lyon offered the following resolution, viz.:

"Whereas, reports are current that an effort has been or is being made in the City Council of Frankfort to permit saloons of the city to remain open until 12 o'clock at night, or one hour more than is permitted under the present ordinances of the city, for the purpose, as stated, of accommodating the members of the General Assembly; and, Whereas, the publicity of such report is calculated to leave the impression that such action is necessary on account of the presence in the city of the members of the Legislature; and, Whereas,

the excuse offered for extending the time saloons shall remain open at night is a flimsy pretext and an insult to the honor of this House; therefore, Be it resolved, that we resent any inference of the desire upon the part of the members of this House, or of the necessity, because of the presence of the Legislature, to extend the time for saloons to remain open in Frankfort."

Mr. Speaker *pro tem.* Pumphrey, declared said resolution out of order.

Mr. Harvey appealed from the decision of the Speaker.

Mr. W. R. Lyon seconded said appeal.

The Speaker requested Mr. Harvey to reduce his appeal to writing, and send it to the Clerk's desk, which was done as follows, viz.:

"We move an appeal from the decision of the chair in ruling the resolution of the gentleman from Hart county out of order.

(Signed) "W. B. HARVEY,
W. R. LYON."

The Speaker stated his decision which had been appealed from and also the question: Shall the decision of the Speaker stand as the judgment of the House.

The Speaker then vacated the Chair and designated Mr. Harry J. Meyers as Speaker to preside during the pendency of said appeal.

Mr. Meyers took the chair and stated the question thus: Shall the decision of the Speaker stand as the judgment of this House:

The yeas and nays on said question being demanded by Messrs. Harvey and W. M. Webb, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	L. B. Hamilton	Richard Radcliffe
C. H. Bays	W. B. Harvey	John T. Roach
Chas. D. Bratcher	David J. Howard	Thomas Spurrier
G. G. Brashear	J. M. Howell	Bannie Tabor
W. H. Brown	R. B. Jackson	R. C. Tartar
E. Bullock	J. M. Johnson	Robt. R. Treadway
Henry A. Cannon	T. R. Jones	J. Wood Vance
R. A. Cook	W. H. Jones	John S. Webb
A. S. Cooper	W. R. Lyon	W. M. Webb
James S. Cruse	G. B. Moores	Frank M. White
H. C. Cummins	E. B. McGlone	J. D. Wills
Thomas A. Dover	W. J. McMurray	M. O. Wilson
L. L. Embrey	L. T. Neat	E. S. Wood
Frank C. Greene	A. J. Oliver	Louis E. Yewell
C. H. Grimes	A. B. Pieratt	E. G. Young
J. S. Hall	Harry P. Purnell	—47

Those who voted in the negative were—

W. C. Allen	W. G. Gooch	John T. Murphy
Peter Ampler	W. C. G. Hobbs	B. F. McAtee
Geo. B. Barrett	A. B. Holland	C. B. Nichols
Frank J. Brown	Chas. L. Hunter	S. Mazyck O'Brien
Glover H. Cary	R.B.Hutchcraft,Jr.	William A. Perry
S. B. Coleman	H. Clay Kauffman	Geo. L. Pickett
R. T. Crowe	Wm. J. Kuh	D. S. Richardson
Jas. R. Dorman	W. T. Lasley	Lewis Ryans
W. E. Dowling	M. E. Lee	Joe Schneider
William Duffy	Dr. J. E. Lilly	E. D. Smith
Odie Duncan	Dr. C. W. Mathers	Claude B. Smith
J. R. Durham	Jacob Metzger	John W. Snider
J. M. Elliston	Harry J. Meyers	Adam Spahn
T. T. Gardner	Claude D. Minor	D. B. Tyra
Wm. Gearheart	S. Montgomery	—44

And so said appeal from the decision of the Speaker was sustained.

The yeas and nays then being demanded by Messrs. Wilson and W. M. Webb on the question of the adoption of said resolution offered by Mr. Lyon were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	A. B Holland	Richard Radcliffe
H. F. S. Bailey	David J. Howard	John T. Roach
C. H. Bays	Chas. L. Hunter	Lewis Ryans
Chas. D. Bratcher	R.B.Hutchcraft,Jr.	L. M. Smith
G. G. Brashear	R. B. Jackson	E. D. Smith
W. H. Brown	J. M. Johnson	Thomas Spurrier
E. Bullock	T. R. Jones	Bannie Tabor
Henry A. Cannon	W. H. Jones	R. C. Tartar
Glover H. Cary	W. T. Lasley	Robt. R. Treadway
R. A. Cook	M. E. Lee	J. Wood Vance
A. S. Cooper	W. R. Lyon	J. W. Wall
S. B. Coleman	Claude D. Minor	John S. Webb
H. C. Cummins	G. B. Moores	W. M. Webb
Thomas A. Dover	John T. Murphy	Frank M. White
J. R. Durham	E. B. McGlone	J. D. Wills
L. L. Embrey	W. J. McMurray	M. O. Wilson
Wm. Gearheart	L. T. Neat	E. S. Wood
Frank C. Greene	C. B. Nichols	Louis E. Yewell
C. H. Grimes	A. J. Oliver	E. G. Young
J. S. Hall	A. B. Pieratt	
L. B. Hamilton	Harry P. Purnell	—61

Those who voted in the negative were—

Peter Ampler	William Duffy	H. Clay Kauffman
Geo. B. Barrett	J. M. Elliston	Wm. J. Kuh
Frank J. Brown	T. T. Gardner	Dr. J. E. Lilly
R. T. Crowe	W. G. Gooch	Dr. C. W. Mathers
James S. Cruse	W. C. G. Hobbs	Jacob Metzger
W. E. Dowling	J. M. Howell	Harry J. Meyers

S. Montgomery	Geo. L. Pickett	Claude B. Smith
B. F. McAtee	J. D. Pumphrey	John W. Snider
S. Mazyck O'Brien	D. S. Richardson	Adam Spahn
William A. Perry	Joe Schneider	D. B. Tyra

—30

And so said resolution was adopted.

Mr. Speaker *pro tem.* Pumphrey then resumed the chair.

Mr. Spahn called up from the Clerk's desk a resolution offered by him on yesterday of the following title, viz.:

H. Res. 4. Resolution to provide the members of the Senate and House and the President of the Senate and Speaker of the House, with copies of the Kentucky Statutes and Code of Practice.

Said resolution together with the amendment thereto offered by Mr. Crowe were referred to the Committee on Appropriations.

Said resolution and amendment were ordered printed.

Mr. Minor called up from the Clerk's desk for consideration a resolution of the following title, viz.:

H. Res. 1. Resolution providing that no extra help be employed.

(For said resolution see House Journal of January 4, 1916.)

Said resolution was adopted.

Mr. Radcliffe presented to the House a petition signed by John A. Gary and sundry other citizens of McCreary county, praying that a committee be appointed to hear proof

and that impeachment proceedings be instituted against J. E. Williams, as County Judge of McCreary county, Kentucky, and have such proceedings and orders and hearings in the matter as may be necessary for a complete investigation herein.

Said petition was ordered to be filed.

Mr. Jackson offered the following joint resolution, viz.:

Resolution directing the payment of sixty-eight dollars and seventy-five cents to E. B. Arnett, Committee for Canoy Puckett, a pauper idiot.

Whereas, Canoy Puckett, was declared a pauper idiot by Magoffin Circuit Court on ..... day of October, 1908, and on Oct. 12, 1912, E. B. Arnett was appointed committee to succeed D. M. Atkinson resigned. By oversight the said pauper idiot was not re-examined by said court until Sept. 17th, 1914, at which time he was again declared a pauper idiot, eleven months elapsing between examinations, for which no provision is made for payment by the Commonwealth of Kentucky.

Whereas, it is the will of this House, the Senate concurring therein, that the sum of $68.75 is due and ought to be paid.

Be it resolved by the General Assembly of the Commonwealth of Kentucky, that the Auditor of Public Accounts be and he is hereby authorized to draw his warrant on the Treasurer of the State, by the order of the Clerk of the House in favor of the said E. B. Arnett, Committee for Canoy Puckett, the sum of money that would have been due him had the examination been made at the expiration of the first five years (Sept. ....., 1913); this resolution shall take effect upon its adoption.

Ordered that said resolution lie on the Clerk's desk.

On the call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. T. R. Jones:

H. B. 91. An act to repeal Chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 to 4535h, inclusive, and re-enact the same chapter with the articles and sections rearranged, simplified, and the repealed sections and parts of sections omitted.

To Committee on Education.

By Same:

H. B. 92. An act to amend the Kentucky Statutes, article 10, section 4464, relating to graded common schools, being the same as chapter 12, section 155 of the common school laws of Kentucky.

To Committee on Education.

By Mr. Hobbs:

H. B. 93. An act to regulate the admission of attorneys to practice law.

To Committee on Judiciary.

By Mr. Minor:

H. B. 94. An act placing the telephone companies of the State under the supervision of the Railroad Commission of Kentucky; providing for the hearing of complaints against

such companies and for the regulation of rates, tolls, charges, joint rates and schedules of such companies by the Railroad Commission, and requiring such companies to report annually to said commission.

To Committee on Public Utilities.

By Mr. Tyra:

H. B. 95. An act to create the Thirty-seventh Judicial District of Kentucky, composed of Morgan, Elliott and Magoffin counties.

To Committee on Redistricting—Judicial.

By Same:

H. B. 96. A bill of an act requiring that boots and shoes made or offered for sale, in certain parts of any substitute for leather, be stamped thereon; providing a penalty for the failure to so stamp; providing the time when this act shall go into effect and repealing any conflicting laws.

To Committee on Commerce and Manufacturing.

By Mr. Harvey:

H. B. 97. An act to amend "An act to amend section 612a of the Kentucky Statutes relative to banks and trust companies, and to re-enact the same as amended," approved March the 24th, 1906, and being section 612a Kentucky Statutes, Carroll's edition, 1915.

To Committee on Banks and Banking.

By Mr. H. J. Meyers:

H. B. 98. An act to provide an elective system of workmen's compensation for industrial accidents.

To Committee on Compensation for Industrial Injuries.

By Same:

H. B. 99. An act to amend section 54 of the Constitution.

To Committee on Constitutional Amendments.

By Mr. Metzger:

H. B. 100. An act to amend section 39 of an act entitled, "An act defining public roads, providing for their establishment, regulation and construction, and use and maintenance, creating the office of Road Engineer, and prescribing the duties thereof." Approved March 18th, 1912.

To Committee on Public Roads and Highways.

By Mr. W. M. Duffy:

H. B. 101. An act to amend charters of cities of the first class and to authorize cities of the first class to support by the levy of a tax or otherwise a municipal university.

To Committee on Municipalities.

By Mr. Wilson:

H. B. 102. An act to provide for the payment of the service of members of division board of education.

To Committee on Education.

By Same:

H. B. 103. An act designating the 12th day of February a legal holiday in commemoration of Lincoln's birthday.

To Committee on Kentucky Statutes.

By Mr. Frank C. Greene:

H. B. 104. An act to regulate and control Fraternal Benefit Societies.

To Committee on Insurance, Life and Accident.

By Mr. E. D. Smith:

H. B. 105. An act providing for the payment of claims arising from loss on account of the slaughter of animals having the foot and mouth disease, and making an appropriation therefor.

To Committee on Appropriations.

By Mr. Yewell:

H. B. 106. An act to require abutting property owners to cut the bushes and weeds on roadsides.

To Committee on Public Roads and Highways.

By Mr. Bailey:

H. B. 107. An act to prevent the negotiation, assignment or transfer of notes without all the known credits thereon, and fixing penalty.

To Committee on Kentucky Statutes.

By Same:

H. B. 108. An act to prevent drunkenness at public gatherings, and fixing penalty.

To Committee on Criminal Law.

By Same:

H. B. 109. An act to define junk and junk dealers, and regulate dealers in junk and other second hand material, and imposing a license fee and penalties.

To Committee on Criminal Law.

By Mr. Nichols:

H. B. 110. An act to regulate the organization and operation of assessment or co-operative fire insurance companies.

To Committee on Insurance, Fire and Marine.

By Mr. Mathers:

H. B. 111. An act regulating roving horse traders.

To Committee on Revenue and Taxation.

By Mr. Lee:

H. B. 112. An act to amend section 3 of an act approved March 11, 1902, entitled "An act for the better enforcement of an act approved March 10th, 1894, entitled 'An act whereby the sense of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein,' and to amend section 4 of said act."

To Committee on Kentucky Statutes.

By Mr. W. M. Webb:

H. B. 113. An act for the benefit of Bernard Wells.

To Committee on Claims.

By Same:

H. B. 114. An act to repeal the charter of the town of Flat Gap in Johnson county.

To Committee on Classification of Cities and Towns.

By Mr. L. M. Smith:

H. B. 115. An act to regulate the writing and publishing of the opinions of the Court of Appeals of Kentucky.

To Committee on Court of Appeals.

By Same:

H. B. 116. An act to authorize any city in this State owning its own water or light plant and furnishing water and light to such city to furnish water and light to any other city in this State, and to authorize any city in this State to contract for water and light from any city owning its water or light plant and furnishing water and lights.

To Committee on Public Utilities.

By Mr. Purnell:

H. B. 117. An act to entitle absent voters to register by affidavit.

To Committee on Suffrage and Elections.

By Mr. Hutchcraft, Jr.:

H. B. 118. An act providing for the assessment and taxation of the franchise or corporate excess of mining, manufacturing, mercantile, and other corporations, not already subject to franchise taxes.

To Committee on Revenue and Taxation.

By Same:

H. B. 119. An act providing for a license tax on persons, firms, associations, and corporations engaged in the business of mining coal.

To Committee on Revenue and Taxation.

By Same:

H. B. 120. An act providing for a progressive tax on direct and collateral inheritances.

To Committee on Revenue and Taxation.

By Same:

H. B. 121. An act providing for, regulating and defining certain kinds of co-operative insurance on the mutual or reciprocal plan, empowering corporations generally to participate in such insurance, fixing certain fees and providing penalties for any violations.

To Committee on Revenue and Taxation.

By Mr. Cary:

H. B. 122. An act to repeal an act entitled "An act to amend an act entitled 'An act to create a Board of Prison Commissioners and regulate the penal institutions of this Commonwealth,' " and passed on March 15, 1908, over the veto of the Governor of Kentucky, and the same being the veto beginning on page 8 and running to and including page 26 of the printed acts of the session of 1908 of the General Assembly of Kentucky; and an act to further regulate the management of the penal institutions of this Commonwealth passed at the 1912 session of the General Assembly, and approved by the Governor on March 1, 1912, and creating a Board of Commissioners to be known as the Kentucky State Board of Control for Penal and Charitable Institutions, and to repeal subsections 1, 2 and 3 of section 217a of Carroll's Statutes, and to repeal and re-enact subsections 15 and 24 of section 217a, and sections 3799, 3805, 3807 and 3812 and subsection 2 of section 2095a, and sections 361 and 2046 of Carroll Statutes, edition of 1909.

To Committee on State Prisons and Houses of Reform.

Mr. Tabor moved that this House grant to the gentleman from Crittenden county an indefinite leave of absence.

Said motion was unanimously agreed to.

Mr. Hobbs moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, JANUARY 14, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer of the Roman Catholic Church, of the city of Frankfort.

The Speaker of the House made the following announcement to the members of the House in writing, viz.:

To the House of Representatives:

"I hereby appoint the Hon. J. D. Pumphrey of the county of Fleming to preside as Speaker over the House today.

"This Jan. 14th, 1916.

(Signed) "H. C. DUFFY, Speaker."

Thereupon Mr. Pumphrey took the chair and presided as Speaker *pro tem.* of the House.

The reading of the Journal of yesterday was dispensed with.

The Biennial Report of the Treasurer of the Eastern Kentucky State Normal School for the years 1914 and 1915 was presented to the House, which was received and ordered filed.

Said report is as follows:

LETTER OF TRANSMITTAL

Richmond, Kentucky, Jan. 1st, 1916.

To the Governor and General Assembly
of the Commonwealth of Kentucky,
Frankfort, Kentucky.

Gentlemen:—In accordance with law we hand you the Biennial Report of the Treasurer, which contains an itemized statement of all receipts and expenditures for the two calendar years preceding, showing minutely all disbursements of money received from State or other sources.

Respectfully submitted,

V. O. GILBERT,
J. A. SULLIVAN,
H. M. BROCK,
J. W. CAMMACK,
FRED A. VAUGHAN,
Board of Regents.

Richmond, Ky., January 1st, 1916.

To the Board of Regents for
Normal School District No. 1, of Kentucky.

Gentlemen:—As required by the Kentucky Statutes, I respectfully submit the following report which contains an itemized statement of all receipts and expenditures for the two calendar years preceding, showing minutely all disbursements of moneys received from the State or other sources.

RECEIPTS FOR THE CALENDAR YEAR 1914.

Balance January 1st, 1914	$ 1,289.74
From deposits by students	1,902.00
From room rents in dormitories	7,420.80
From table board in dormitories	23,144.15

From model school tuition	1,175.00
From book store	5,503.02
From sale of supplies	47.29
From lectures	242.25
From miscellaneous sources	1,774.26
From tuition in normal school	123.00
From miscellaneous fees	5,152.29
From money borrowed	3,960.00
From State appropriation	79,547.75
Total receipts for 1914	$131,281.55

RECEIPTS FOR THE CALENDAR YEAR 1915.

From miscellaneous fees	$ 4,039.25
From students' deposits	2,130.00
From interest	39.95
From rent rooms in dormitories	8,578.80
From table board in dormitories	29,219.65
From tuition fees	1,545.00
From money borrowed	5,000.00
From miscellaneous sources	13,429.90
From State appropriation	82,242.17
Total receipts for 1915	$146,224.72

DISBURSEMENTS FOR THE CALENDAR YEAR 1914.

For supplies in dormitories	$ 18,312.71
For wages paid in dormitories	3,339.95
For room rent refunded	177.95
For table board refunded	500.75
For Sullivan Hall annex	7,223.89
For general labor	4,229.00
For salaries	44,512.31
For purchases in book store	6,921.92
For students' deposits returned	1,776.00
For telephone and telegraph	305.39
For fuel, light and power	4,170.33
For traveling	644.47
For miscellaneous items	1,515.88
For water	1,489.65
For general equipment	6,145.20

For general repairs	1,532.94
For printing, postage and advertising	3,256.36
For general supplies	1,743.15
For bills payable paid	20,166.66
For campus improvement	1,162.66
For interest	2,174.26
For gymnasium	1,053.17
For general expense	1,955.71
For insurance	1,596.10
For farm improvement	707.30
For lectures	576.50
Total disbursements for the year 1914	$137,190.21

DISBURSEMENTS FOR THE CALENDAR YEAR 1915.

For salaries and wages	$ 47,851.73
For stationery, printing, binding	1,846.23
For postage, freight, express, cartage	543.40
For traveling	1,381.58
For insurance	1,325.80
For telephone and telegraph	384.17
For furniture and equipment	6,739.14
For general labor	5,988.41
For renewals and repairs	3,028.14
For provisions and stoves	20,555.17
For shop, farm and garden expense	1,684.16
For fuel, light and power	4,497.56
For general supplies	2,492.34
For interest	2,064.10
For miscellaneous items	40,009.21
	$140,391.14

RECAPITULATION.

Receipts.

For the calendar year 1914, brought forward	$131,281.55
For the calendar year 1915, brought forward	146,224.72
Total receipts for the two years	$277,506.27

Disbursements.

For the calendar year 1914, brought forward	$137,190.21
For the calendar year 1915, brought forward	140,391.14
Total disbursements for the two years	$277,581.35
Deduct total receipts	277,506.27
Balance due the Treasurer January 1, 1916	$ 75.08

The following pages numbered from 5 to 58 both inclusive show minutely all disbursements of moneys received from the State or other sources.

Respectfully submitted,

W. E. TULLEY,

Treasurer.

DISBURSEMENTS.

January 1914.

J. G. Crabbe, pay roll	$ 105.60
J. G. Crabbe, pay roll	106.60
Allyn and Bacon	4.18
D. Appleton	25.30
Azbill	8.50
American Book Co.	67.18
Bourne and Bond	67.91
Blue Grass Com	30.00
Bennett & Higgins	96.00
Blanton Lumber Co.	15.75
Blanton, L. R.	422.78
Chicago Pennant Co.	37.24
Classon	8.83
Capital City Dairy	98.56
Curry, Tunis & Norwood	371.82
Chesnut	5.05
Central University	819.50
Cut Rate Printing Co.	3.25
Cincinnati Times Star	1.96
Covington Thorpe Co.	36.04
C. C. Culton	227.03
Diem and Wing	24.52
Double Day Page	1.13
Douglas and Son	11.40

Douglas and Simmons	36.95
East Tennessee Telephone Co.	41.78
E. V. Elder	14.40
Forbes & Co.	2.97
Grinstead	9.52
F. H. Goosman	28.23
Mrs. A. Hisle	3.75
Hammett	4.94
Hurst	15.15
Harper	10.90
Howells	3.88
Kentucky Register	3.00
Kentucky Post	2.63
Kentucky Utilities Co.	86.25
Lippincott	27.00
Lexington Herald	8.60
Courier	5.60
Lexington Leader	3.60
Macmillan	33.57
Macmillan	4.00
Manual Arts	19.85
Madisonian	4.50
Moberly	8.50
Normal City Laundry	90.00
Oldham and Lackey	15.35
Ohio Valley	6.80
Phillip Willging	15.90
Peaslee Gaulbert	17.00
Row Peterson	23.45
Richmond Water & Light Co.	152.10
Richmond Lumber Company	64.60
Richmond Coal & Supply Co.	33.13
Richmond Ice Co.	17.80
Richmond Htg. & Plumbing Co.	1.43
Roberts and Bronston	6.70
Sturgis and Walton	13.70
Sandlin	7.50
Southern School Journal	60.00
Smith	6.45
Stockton and Son	9.70
Smoot, Dr. C. E.	8.00
Suit, A. J.	8.30

State Journal	2.40
Somerset Journal	5.20
Shelby News	8.00
Standard Oil	1.80
Sistrunk	56.55
Todd and Son	41.50
Underwood Typewriter Co	7.60
Wolf Wile Co	38.38
Zaring & Co	8.00
Zanes Bro.	13.85
State Bank & Trust Co	10,216.66
J. C. & T. S. Todd	1,336.01
Nelson	192.81
Blanton	440.32
Turley	605.55
University of Chicago Press	1.25
H. H. Taylor	77.40
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, book store	350.00
J. G. Crabbe, petty cash	139.26
Edward B. Perry	50.00
J. G. Crabbe, pay roll	106.60
J. P. Culbertson	1,005.00
Mrs. R. N. Roark	5,025.00
J. G. Crabbe, petty cash	212.77
J. G. Crabbe, salary	300.00
Susie M. Ames	75.00
B. H. Barnard	95.83
I. H. Boothe	50.00
C. E. Caldwell	110.00
Hulda Dilling	75.00
Mary B. Deane	87.50
W. J. Grinstead	158.33
Maude Gibson	87.50
Estelle Heald	75.00
J. G. Hoskinson	158.33
Hull	75.00
Mrs. S. A. Hume	50.00
Jeanie B. Hurst	91.66
Francis G. Heaverlo	87.50
May C. Hanson	75.00

J. R. Johnson	158.33
C. A. Keith	133.33
Koch McDougle	116.66
C. E. McDougle	79.16
Madam Piotrowski	91.66
Lelia E. Patridge	108.33
J. S. Pullen	91.66
Mary E. Reid	75.00
Mrs. Mary Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Miss Ullrich	75.00
J. P. Culbertson	150.00
George T. Bogard	50.00
Mrs. M. A. Lynn	50.00
Robt. Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
Smith	23.33
J. G. Crabbe, pay roll	92.61

February.

J. G. Crabbe, pay roll	106.60
Allman & Pigg	1.75
D. Apple	1.24
Burke	7.40
Black Diamond	5.00
Bourne and Bond	30.90
Baker and Taylor	6.96
A. S. Barnes	20.27
Bobbs Merrill Co.	1.25
Blue Grass Comr.	40.65
L. R. Blanton	519.61
Belknap Hardware Co.	7.50
Capital City Dairy	134.13
Curry, Tunnis and Norwood	958.90
C. C. Culton	312.57
Covington Thorpe Co.	80.59
Covington	15.00
Chicago Pennant	21.25

Columbia College	15.40
Cincinnati Times Star	4.90
Thomas Charles Co.	37.17
Douglas and Simmons	21.56
Douglas and Son	7.28
Diem and Wing	24.38
Dyche Russell	6.00
Double Day Page	1.14
L. P. Evans	7.50
East Tennessee Tel. Co.	21.25
Ed. Tablet	2.50
Joe Giunchigliani	22.65
F. H. Goosman	75.26
G. Town	7.25
Holcomb Mfg. Co.	32.63
Hisle, Mrs. A.	10.65
House of Hurst	46.46
Houston Stanwood	3.75
Hendren	2.75
Harper Bros.	3.70
J. M. Hanson	140.50
Indian Refining Co.	30.89
E. A. Kensey	18.00
Kentucky Post	.88
Kentucky Utilities	.95
Courier-Journal	11.20
Lexington Herald	3.60
Lexington Leader	7.20
Mountain Publishing Co.	2.25
W. D. Oldham	5.78
Oldham & Lackey	154.25
Owen County Democrat	10.20
Orr and Lackell Hdw. Co.	12.34
Outing Publishing Co.	2.66
Pilgrim Press	.44
Play Ground Assoc.	4.50
Peaslee Gaulbert	12.40
Paintsville Herald	10.40
Phelps	4.60
J. D. Purcell	32.50
Roberts and Bronston	6.00
Rich. Water & Light Co.	87.00

Rapier Grain & Seed Co.	21.60
Richmond Ice Co.	20.80
Richmond Greenhouses	137.20
Mrs. S. P. Ross	2.25
E. K. S. N. S. Student	18.00
State Journal	1.50
Tatum, Saml.	56.25
Underwood Typewriter Co.	2.00
Williamson, Ben	2.58
Western Union	6.61
Phil Willging	5.43
Wolfe Wile Co.	4.05
Ward Bros.	51.04
J. L. Zaring	30.60
Douglas & Simmons	1,308.97
J. G. Crabbe, pay roll	111.60
J. G. Crabbe, petty cash	140.14
State Bank & Trust Co.	777.93
J. G. Crabbe, pay roll	111.60
J. G. Crabbe, petty cash	222.94
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, salary	300.00
Susie M. Ames	75.00
B. H. Barnard	95.83
I. H. Boothe	60.00
C. E. Caldwell	110.00
Miss Dilling	75.00
Mrs. Deane	87.50
W. J. Grinstead	158.33
Miss Gibson	87.50
Miss Heald	75.00
Prof. Hoskinson	158.33
Miss Hull	75.00
Mrs. Hume	50.00
Miss Hurst	91.66
Miss Haverlo	87.50
Miss Hansen	75.00
Prof. Johnson	158.33
C. A. Keith	133.33
Prof. Koch	116.66
E. C. McDougle	79.16
Miss McKee	83.33

Miss Patridge	108.33
J. S. Pullens	91.66
Madam Piotrowski	91.66
Miss Reid	75.00
Mrs. Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Miss Ullrich	75.00
J. P. Culbertson	150.00
George Bogard	50.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
Harrison Smith	35.00

March, 1914.

J. G. Crabbe, petty cash	93.81
J. G. Crabbe, pay roll	116.60
B. H. Barnard	5.18
Blanton	453.64
Bourne & Bond	8.09
Burpee	17.40
Baker Taylor	1.94
Bobbs Merrill	2.17
Blanton Lumber Co.	10.00
Cincinnati Cordage	17.52
Thomas Charles Co.	4.42
Covington Thorpe Co.	126.84
James Carler	7.47
C. C. Culton	422.06
Capital City Dairy	189.31
Central Record	5.00
Carrollton Democrat	5.20
Classon	4.12
Cumberland Telephone	21.30
Curry, Tunnis & Norwood	562.27
Daily Ind.	5.20
Double Day Page	2.14
Douglas & Simmons	14.85

Douglas & Son	45.50
Ed Tablet	15.00
F. H. Goosman	115.01
Mrs. A. Hisle	11.10
Hotel Glyndon	45.75
Henry Field Seed Co.	9.54
Joe Giunchigliani	25.90
Harper Ill. Syn.	28.97
Heath	1.12
Hinds Noble E.	2.40
Hanson	7.85
Hirsch Bros.	21.70
House of Hurst	8.85
Houghton Mifflin	3.76
W. G. Johnson	8.92
B. Jouett & Son	2.00
Ky. Mountaineer	10.40
Kenney Co.	87.31
Kentucky Register	8.20
Kentucky Utilities	8.35
Louisville Grocery	79.24
Lexington Herald	3.20
Lexington Leader	3.20
Lexington Wholesale Bakery	50.63
A. C. McClurg	20.60
Messenger Ptg. Co.	4.00
Jas. A. Moores	8.65
Mt. Sterling Gazette	5.00
Henry Michell	3.00
MacMillan Co.	71.02
Normal City Laundry	61.10
Owen McKee	33.08
National Ed. Assn.	2.00
Ohio Varnish Co.	7.50
R. P. Phelps	2.20
Mrs. D. M. Phelps	1.35
Peaslee Gaulbert Co.	38.20
Philip Willging	6.75
Mrs. S. P. Ross	3.52
Roberts & Bronston	4.00
R. Rogers & Son	353.60
Rand McNally Co.	3.52

Rapier G.	25.00
Richmond Greenhouses	5.00
Richmond Coal & Supply Co.	67.60
Richmond Ice Co.	18.20
Richmond Lumber Co.	26.21
Richmond Water & Light Co.	139.90
Scott Foresman	6.00
Singer Sewing Machine Co.	57.00
Stokes Standard Seed	1.27
E. K. S. N. S. Student	4.50
State Journal	1.20
Charles Scribners	1.10
Todd & Son	16.00
Underwood Typewriter Co.	7.35
Western Union Co.	5.28
John C. Winston	.98
Wolf Wile Co.	45.00
Willis Music Co.	32.19
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, petty cash	143.27
Redpath Lyceum	265.00
Richmond Htg. & Plbg. Co.	252.50
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, petty cash	66.54
J. G. Crabbe, salary	300.00
Miss Ames	75.00
B. H. Barnard	95.83
I. H. Boothe	100.00
C. E. Caldwell	110.00
Miss Dilling	75.00
Mrs. Deane	87.50
W. J. Grinstead	158.33
Miss Gibson	87.50
Miss Heald	75.00
Prof. Hoskinson	158.33
Miss Hull	75.00
Mrs. Hume	50.00
Miss Hurst	91.66
Miss Heverlo	87.50
Miss Hansen	75.00
J. R. Johnson	158.33
C. A. Keith	133.33

Prof. Koch	116.66
McDougle	79.16
Miss McKee	83.33
Miss Patridge	108.33
J. S. Pullen	91.66
Madam Piotrowski	91.66
Miss Reid	75.00
Mrs. Mary C. Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Miss Ullrich	75.00
J. P. Culbertson	150.00
George T. Bogard	50.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
Smith	35.00
Flanagan	30.00
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, petty cash	96.50

April, 1914.

J. G. Crabbe, book store	1,000.00
J. G. Crabbe, petty cash	220.90
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, pay roll	116.60
American Book Co.	48.74
Combs Lumber Co.	3,792.50
Ginn & Co.	113.43
Hinds Noble Co.	24.00
Houghton Mifflin Co.	91.27
MacMillan Co.	45.66
R. Rogers & Sons	2,046.03
J. G. Crabbe, petty cash	55.30
J. R. Johnson	100.00
J. G. Crabbe, petty cash	261.58
J. G. Crabbe, pay roll	116.60
Alkabest Lyceum Syn.	125.00
American Book Co.	172.69

Burke	62.98
Blanton	340.05
Cut Rate Printing Co.	9.50
Thos. Charles Co.	2.72
C. C. Culton	541.78
Covington Thorpe Co.	165.42
Capital City Dairy	262.35
Curry, Tunis & Norwood	896.69
Douglas & Simmons	25.90
Ed. Tablet	10.50
Joe Giunchigliani	7.45
F. H. Goosman	98.90
General Electric Co.	11.27
Ginn & Co.	42.79
Mrs. A. Hisle	11.33
Hanson	3.10
Henderson Co.	2.51
Field Seed	.50
Lexington Bakery	69.60
Lackey & Todd	33.00
Louisville Grocery	63.07
Lexington Leader	3.60
Lexington Herald	3.60
Madisonian	34.25
MacMillan Co.	11.81
Normal City Laundry	48.22
Peaslee Gaulbert	6.45
Mrs. Phelps	5.40
Pantagraph	9.05
Register	44.00
Ross	1.27
Roberts & Bronston	5.00
Redwine	27.50
Richmond Ice Co.	21.00
Richmond Water & Light Co.	204.65
Richmond Coal Co.	140.35
State Bank & Trust Co.	18.00
Stockton & Son	55.70
Sandlin	3.50
A. J. Suit	38.80
Smith Ham	11.00
State Journal	1.20

Stokes	3.07
W. T. Sistrunk Co.	11.00
Turley	15.55
Underwood Co.	1.70
P. L. Willging	1.80
Winston Co.	6.25
Zaring	112.20
J. G. Crabbe, pay roll	116.60
Richmond Htg. & Plbg. Co.	340.50
J. G. Crabbe, petty cash	219.65
MacMillan Co.	7.45
J. G. Crabbe, salary	300.00
Miss Ames	75.00
B. H. Barnard	95.83
I. H. Boothe	100.00
C. E. Caldwell	110.00
Miss Dilling	75.00
Mrs. Deane	87.50
W. J. Grinstead	158.33
Miss Gibson	87.50
Miss Heald	75.00
Prof. Hoskinson	158.33
Miss Hull	75.00
Mrs. Hume	50.00
Miss Hurst	91.66
Miss Heverlo	87.50
Miss Hansen	75.00
Prof. Johnson	158.33
C. A. Keith	133.33
Prof. Koch	116.60
E. C. McDougle	79.16
Miss McKee	83.33
Miss Patridge	108.33
J. S. Pullens	91.66
Madam Piotrowski	91.66
Miss Reid	75.00
Mrs. Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Miss Hemlepp	75.00
J. P. Culbertson	150.00
George Bogard	50.00

Mrs. M. A. Lynn	50.00
Robert Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
Smith	35.00
Flanagan	40.00

May, 1914.

J. G. Crabbe, pay roll	116.60
J. G. Crabbe, petty cash	159.79
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, petty cash	107.40
J. G. Crabbe, petty cash	197.69
Walters Collegiate Inst	704.11
George Bain	35.00
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, salary	300.00
Miss Ames	75.00
B. H. Barnard	95.83
I. H. Boothe	100.00
C. E. Caldwell	110.00
Miss Dilling	75.00
Mrs. Deane	87.50
W. J. Grinstead	158.33
Miss Gibson	87.50
Miss Heald	75.00
Prof. Hoskinson	158.33
Miss Hull	75.00
Mrs. Hume	50.00
Miss Hurst	91.66
Miss Heverlo	87.50
Miss Hansen	75.00
Prof. J. R. Johnson	158.33
Prof. C. A. Keith	133.33
Prof. Koch	116.66
Prof. McDougle	79.16
Miss McKee	83.33
Miss Patridge	108.33
J. S. Pullens	91.66
Madam Piotrowski	91.66

Miss Reid	75.00
Mrs. Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Miss Hemlepp	75.00
J. P. Culbertson	150.00
George T. Bogard	50.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
Smith	35.00
Flanagan	40.00
J. G. Crabbe, petty cash	178.45
J. G. Crabbe, pay roll	116.60
Akin Lambert	128.16
Anderson News	7.50
D. Appleton	25.66
American Book Co.	66.33
Baker & Taylor	1.42
John Boswell	30.50
A. S. Barnes	29.62
Belknap	4.25
Birchard	14.62
L. R. Blanton	307.24
M. E. Bogarte Book	41.32
Bourne & Bond	227.07
Burpee Seed Co.	2.38
Capital City Dairy	181.88
Charles Co.	20.02
Chicago Varnish Co.	4.13
Cincinnati Star	3.92
Cincinnati Eng. Co.	16.36
Jas. Clark	13.00
Covington Thorpe Co.	170.76
Columbia College	18.53
Crabbe	4.35
C. C. Culton	484.06
Curry, Tunis & Norwood	762.66
East Tennessee Tel. Co.	52.15
Detroit Loose Leaf Co.	128.94

Devoe and R.	26.59
Diem & Wing	48.34
Douglas & Son	60.03
Ed. Tablet	20.34
A. Flanagan	116.29
Joe Giunchigliani	7.50
Ginn & Co.	58.99
Goerz Optical Co.	70.35
F. H. Goosman	56.61
Mrs. A. Hisle	8.40
Miss Heverlo	48.13
Harpers Syn.	.75
Hataway	.60
Herndon	6.10
Heath	1.86
Holt & Co.	7.59
Hinds Noble & Co.	12.56
Houghton Mifflin Co.	22.31
House of Hurst	17.45
Indian Refining Co.	8.77
Jouett & Son	4.80
Ky. Utilities	21.17
Ky. Post	3.51
E. A. Kinsey Co.	65.59
Ky. Sheerer Co.	8.11
Lexington Wooden Ware Co.	20.00
Lexington Leader	3.60
Little, Brown & Co.	4.33
Libby McNeill	16.63
Louisville Courier	14.00
Louisville Grocery Co.	30.04
Jas. A. Moores	8.00
Mountain Advocate	10.00
Montag Bros.	1.10
McMillan	2.78
Rand McNally Co.	5.81
Ohio Valley	6.69
Oldham & Lackey	3.75
Perry's Drug Store	4.90
Peaslee Gaulbert	4.02
R. P. Phelps	9.10
D. M. Phelps	1.05

H. F. Pieratt	19.35
Pullen	44.86
Purcell, J. D. & Co.	85.16
Rayburn	4.20
Robertson & Bronston	4.00
Rapier Grain and Feed Co.	79.00
Ky. Register	7.65
Richmond Lumber Co.	33.44
Richmond Coal & Supply Co.	51.25
Richmond Coal & Supply Co.	30.00
Richmond Ice Co.	27.60
Richmond Water & Light Co.	128.30
R. Rogers & Son	3.36
Mrs. S. P. Ross	4.35
Zudolph Wurlitzer	26.09
Schmidt Arlhin	4.78
Simmons Hardware Co.	25.54
G. D. Smith	4.80
Smith, Watkins, Darnaby	59.25
Student	4.50
State Journal	1.50
Swift & Co.	42.00
Webb Publishing Co.	20.23
Western Union Co.	3.68
Philip Willging	12.44
Wolf Wile Co.	13.20
Zarings Mill	76.00
Cammack	16.10
C. C. & E. A. Weber	737.25
Richmond Heat & Plumbing Co.	135.00

June, 1914.

J. G. Crabbe, pay roll	116.60
State Bank & Trust Co.	137.66
J. G. Crabbe, buying books	800.00
J. G. Crabbe, petty cash	323.33
J. G. Crabbe, pay for books	300.00
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, petty cash	376.74
J. G. Crabbe, pay roll	116.60
Amer. Agri. Chem. Co.	25.87

Ansco Co.	111.32
W. O. Burke	5.00
L. R. Blanton	173.05
Joe. S. Boggs	106.15
Botterton Ice Cream Co.	40.50
B. H. Barnard	4.15
Baker & Taylor Co.	3.14
Climax Ptg. Co.	127.94
Covington Thorpe Co.	78.39
Cincinnati Times Star	1.23
J. B. Chestnut	10.40
C. C. Culton	509.80
Curry, Tunis & Norwood	495.37
Central Scientific Co.	63.47
Capital City Dairy	147.21
Conrad & Jones	4.12
Dennison Mfg. Co.	5.64
Douglas & Simmons	38.05
C. B. Deitrich & Bros.	3.35
Diem & Wing Co.	24.54
Educational Tablet Co.	28.80
Goers Amer. Optical Co.	12.66
Chas. D. Green	25.00
Galloway Bros. Bowman Co.	2.03
Ginn & Co.	.15
Hotel Glyndon	111.25
F. H. Goosman	69.90
Joe Giunchigliani	3.95
Mrs. A. Hisle	6.88
Hataway & Co	77.63
House of Hurst	36.48
Houghton Mifflin Co.	6.51
R. S. Hendren	7.70
Chas. W. Harper	14.15
Hammer Dry Plate Co.	.71
Iner Johnson	18.93
Kentucky Post	1.75
Kentucky Register	16.75
E. A. Kinsey	11.67
Normal City Laundry	147.18
Lex. Bakery Co.	72.00
Lexington Herald	7.20

Lexington Leader	3.60
Louisville Grocery Co.	31.68
Lynchburg Mfg. Co.	5.10
Henry T. Mitchell Co.	6.48
B. L. Middleton	20.75
J. D. Purcell	44.05
Mrs. R. P. Phelps	5.50
Mrs. E. A. Pullen	15.00
Mrs. S. P. Ross	3.90
Richmond Water & Light Co.	111.30
Richmond Coal & Supply Co.	84.87
Richmond Ice Co.	47.00
Roberts & Bronston	9.50
John Van Range	39.45
Simmons Hardware Co.	.80
Sturgis & Walton	13.41
Smith, Watkins, Darnaby	100.00
E. K. S. N. S. Student	4.50
State Journal	1.20
State Bank & Trust Co.	502.60
W. A. Todd	2.70
Telephone Co.	26.13
R. E. Turley	200.00
Fred A. Vaughn	27.20
P. L. Willging	11.38
Willis Music Co.	17.82
Rudolph Wurlitzer Co.	1.80
J. W. Zaring Grain & Mill Co.	64.80
J. G. Crabbe, petty cash	164.22
J. G. Crabbe, pay roll	116.60
J. G. Crabbe, salary	300.00
Miss Ames	75.00
B. H. Barnard	95.83
I. H. Boothe	100.00
C. E. Caldwell	110.00
Miss Deilling	75.00
Mrs. Deane	87.50
W. J. Grinstead	158.33
Miss Gibson	87.50
Miss Heald	75.00
Prof. Hoskinson	75.40
Miss Hull	20.50

Miss Hull	16.00
Miss Heverlo	87.50
Mrs. Hume	50.00
Miss Hurst	91.66
Miss Hansen	75.00
J. R. Johnson	158.33
C. A. Keith	133.33
Prof. Koch	116.66
McDougle	119.74
Miss McKee	83.33
Miss Patridge	108.33
J. S. Pullen	91.66
Madam Piotrowski	91.66
Miss Reid	75.00
Mrs. Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Miss Hemlepp	35.70
J. P. Culbertson	150.00
George Bogard	50.00
Mrs. M. A. Lynn	50.00
Robt. Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
Smith	35.00
Flanagan	40.00
State Bank & Trust Co.	4,166.66
Curry, Tunis & Norwood	402.45
J. G. Crabbe, petty cash	148.91

July, 1914.

J. G. Crabbe, pay roll	111.60
J. G. Crabbe, pay roll	111.60
J. G. Crabbe, petty cash	213.61
J. G. Crabbe, pay roll	111.60
J. G. Crabbe, salary	300.00
B. H. Barnard	95.83
I. H. Boothe	100.00
C. E. Caldwell	110.00
Miss Dilling	75.00
Mrs. Deane	87.50

W. J. Grinstead	158.33
Miss Gibson	87.50
Miss Heald	75.00
Miss Hull	38.50
Mrs. Hume	50.00
Miss Hurst	91.66
Miss Heverlo	87.50
Miss Hansen	75.00
J. R. Johnson	158.33
C. A. Keith	133.33
E. C. McDougle	158.33
Prof. Koch	116.66
Miss McKee	83.35
Miss Patridge	108.33
J. S. Pullen	91.66
Madam Piotrowski	91.66
Miss Reid	75.00
Mrs. Roark	158.33
G. D. Smith	158.33
R. G. Stott	150.00
Funk	145.43
J. P. Culbertson	150.00
Geo. T. Bogard	50.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	50.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
G. D. Smith	35.00
Flanagan	40.00
J. G. Crabbe, pay roll, etc.	195.25
J. G. Crabbe, petty cash	700.00
J. G. Crabbe, petty cash	375.00
J. G. Crabbe, pay roll	111.60
Houghton Mifflin Co.	43.09
Allyn & Bacon	15.65
Walter Burpee	1.65
American Book Co.	32.30
Arnold Hamilton & Luxon	203.28
Baker & Taylor Co.	5.86
Brown Fence & Wire Co.	62.70
Bourne & Bond	52.45

W. W. Broaddus	6.40
Bennett & Higgins	20.35
L. R. Blanton	12.60
Blanton Lumber Co.	5.58
Roberts & Bronston	5.50
Robt. R. Burnam	88.50
Capital City Dairy	242.04
Covington & Banks	1.00
Covington Thorpe Co.	101.53
Cincinnati Times Star	6.13
Curry, Tunis & Norwood	239.95
Cottell & Leonard	71.00
Climax Printing Co.	45.10
Columbia College of Expression	22.17
J. W. Crooke	51.00
C. C. Culton	344.86
Louisville Courier Journal	14.00
Thomas Charles Co.	5.11
Douglas & Simmons	58.45
Detroit Loose Leaf Specialty	1.13
Engle & Co.	7.25
E. V. Elder	52.15
R. S. Eubank	60.00
Ginn & Co.	10.06
F. H. Goosman	47.56
Hotel Glyndon	14.00
Jacob Hicks	43.00
D. C. Heath & Co.	7.30
Mrs. R. S. Hendren	5.90
International Harvester Co.	187.00
House of Hurst	7.68
Jackson Times Ptg. Co.	15.60
Ky. Register	9.50
Ky. Utilities Co.	214.95
Ky. Print Shop	35.50
Lexington Leader	3.20
Lexington Bakery	156.56
Ellis O. Kidd	32.00
Louisville Grocery Co.	34.10
The Madisonian	22.10
Mountaineer Pub. Co.	4.50
A. C. McClurg	1.89

Messenger Printing Co.	4.00
B. L. Middleton	5.55
The MacMillan Co.	17.28
Henry F. Mitchell Co.	.75
E. C. McDougle	1.28
Normal City Laundry	54.80
Oldham & Lackey	.35
W. D. Oldham & Co.	8.82
Owen McKee	22.86
The Pantagraph	19.45
G. W. Pickles	2.50
Mrs. A. E. Pullen	8.55
Arnold and Lelia Smith	15.25
Mrs. R. P. Phelps	4.80
Richmond W. & Light Co.	182.40
Richmond Ice Co.	67.40
Richmond Coal & Supply Co.	31.02
Rich. Htg. & Plbg. Co.	84.35
Richmond Greenhouses	9.00
Rapier Grain & Seed Co.	21.00
John Van Range Co.	15.08
Mrs. S. P. Ross	2.10
State Journal Co.	1.20
Chas. E. Smoot	15.00
Singer, the Florist	10.00
G. D. Smith	11.00
State Bank & Trust Co.	592.50
Stockton & Son	4.50
A. J. Suit	21.30
E. K. S. N. S. Student	9.00
W. A. Todd	10.25
R. E. Turley	225.00
Royal Typewriter Co.	10.00
Cumberland Telephone Co.	23.00
Clara Vogel	25.00
The Wing Seed Co.	100.86
Willis Music Co.	8.27
Rudolph Wurlitzer Co.	.75
Wolf Wile Co.	92.15
Western Union Co.	10.89
H. M. Whittington	1.00
J. W. Zaring Grain & Mill Co.	71.00

Fred A. Vaughn	200.00
J. G. Crabbe	56.15
Lexington Herald	3.20
J. G. Crabbe, petty cash	213.40

August, 1914.

J. G. Crabbe, pay roll	32.10
J. G. Crabbe, pay roll	78.81
J. G. Crabbe, pay roll	32.10
J. G. Crabbe, pay roll	47.10
J. G. Crabbe, pay roll	55.10
J. G. Crabbe, petty cash	84.98
J. G. Crabbe, petty cash	145.54
J. G. Crabbe, pay roll	134.10
J. G. Crabbe, salary	300.00
B. H. Barnard	95.87
I. H. Boothe	100.00
C. E. Caldwell	110.00
Miss Dilling	75.00
Mrs. Deane	87.50
Prof. Grinstead	158.37
Miss Gibson	87.50
Miss Heald	75.00
Mrs. Hume	50.00
Miss Heverlo	87.50
Miss Hansen	75.00
Prof. Johnson	158.37
Prof. Keith	133.37
Prof. Koch	116.74
E. C. McDougle	158.37
Miss Patridge	108.37
J. S. Pullen	91.74
Madam Piotrowski	91.74
Miss Reid	75.00
Mrs. Roark	158.37
Prof. G. D. Smith	158.37
R. G. Stott	150.00
Miss Hemlepp	14.83
J. P. Culbertson	150.00
Geo. T. Bogard	50.00
Mrs. M. A. Lynn	50.00
Robt. Ramsey	50.00

Mrs. Florence Thorpe	50.00
W. M. Wootton	87.50
Mrs. W. M. Wootton	15.00
G. D. Smith	35.00
Flanagan	40.00
Miss Ullrich	61.97
Prof. Hoskinson	151.81
Miss Hurst	91.74
Ansco Co.	14.70
Arnold, Hamilton & Luxon	53.49
Ashland Indep. Publishing Co.	48.30
A. S. Barnes Co.	18.00
Berry Citizen	5.00
L. R. Blanton	14.90
Burke & James, Inc.	12.68
Bush & Gerts Co.	187.00
J. W. Cammack	18.18
The Capital City Dairy Co.	58.24
Thomas Charles Co.	9.77
Central Scientific Co.	74.23
Thomas Charles Co.	8.75
Climax Printing Co.	9.00
Joe Collins	4.50
Columbia College of Exp.	1.85
Covington Thorpe Co.	12.56
Curry, Tunis & Norwood	131.34
Charles C. Culton	268.39
S. A. Deatherage	79.50
W. H. Douglas & Son	36.19
Douglas & Simmons	20.85
L. R. Duerson	25.00
Egbert & Richardson Co.	83.00
J. C. Farley	9.85
Peaslee Gaulbert Co.	52.63
Georgetown Times	8.30
F. H. Goosman	29.74
W. J. Grinstead	3.00
Harper & Brothers	6.25
Hathaway & Co.	20.65
Dr. H. C. Jasper	2.00
J. G. Crabbe	5.55
Kentucky Utilities	106.55

The Kentucky Post	2.81
Kentuckian Citizen	15.60
Lexington Leader	3.60
Lexington Herald	3.20
Lexington Bakery Co.	55.20
McMillan Co.	.62
E. C. McDougle	3.20
D. B. McKinney	115.76
Edgar A. Murray Co.	5.00
Normal City Laundry	42.65
Smith, Park	18.00
Mrs. R. P. Phelps	4.70
Mrs. Helena Piotrowski	42.08
Mrs. A. E. Pullen	5.10
Kentucky Register	11.00
Richmond Coal & Supply Co.	7.70
Richmond Ice Co.	59.60
Richmond Lumber Co.	91.67
Richmond Greenhouses	3.00
Richmond Water & Light Co.	106.50
Burton Roberts	70.69
Amanda Smith	7.11
Harrison Smith	17.25
Somerset Journal	5.20
State Journal	1.50
John Todd	87.00
Todd & Son	6.00
Chicago Varnish Co.	2.83
Western Union Tel. Co.	4.44
P. L. Willging	10.65
Willis Music Co.	16.30
Rudolph Wurlitzer Co.	.80
J. W. Zaring Mill & Grain Co.	22.00

September, 1914.

J. G. Crabbe, pay roll	91.30
J. G. Crabbe, petty cash	50.21
Arnold Hamilton & Luxon	5.80
American Crayon Co.	5.96
American Book Co.	66.71
Baker & Taylor Co.	4.09
Bailey Banks & Bidder Co.	22.50

Bracken Chronicle	6.00
Bourne & Bond	13.93
L. R. Blanton	14.70
Blanton Lumber Co.	32.00
I. H. Boothe	43.18
Clay County Clarion	6.73
Climax Printing Co.	30.65
James Clark, Jr.	1.51
Covington Thorpe Co.	2.90
Cincinnati Process Eng. Co.	29.41
Clark Co. Construction Co.	34.64
C. C. Culton	81.00
Cumberland Tel. Co.	37.35
Carrollton Democrat	5.20
Dunham Co.	22.50
Douglas & Simmons	105.68
James Dejarnett	11.00
Educational Tablet Co.	15.00
Grant County News	10.00
Georgetown Publ. Co.	14.10
Hathaway & Company	41.25
Wm. G. Johnson & Co.	11.53
Harrodsburg Leader	12.50
J. L. Hamlett Co.	18.92
Homewood Nitrogen Co.	4.00
Indianapolis Film Co.	8.31
Normal City Laundry	40.55
B. Juett & Son	29.00
Mrs. Ammer Hisle	5.88
Lexington Leader	1.44
Lamiere Jougla Co.	.71
Kentucky Register	28.00
Ky. Educational Assoc.	15.00
McCarthy & Altmeyer	10.50
Henry F. Mitchell Co.	.86
Marian Noland	75.00
The New Era	5.00
The Nicholas Advocate	10.00
Peaslee Gaulbert	112.03
Paintsville Herald	4.80
Queen City Supply Co.	36.40
The Pantagraph	8.10

Richmond Heating & P. Co.	15.31
Richmond Lumber Co.	167.00
Richmond Coal & Supply Co.	6.45
Roberts & Bronston	8.00
E. W. A. Rowles	15.03
State Journal Co.	.90
Jas. W. Simpson	6.00
W. H. Stanage & Co.	6.79
John Shillito Co.	2.80
Woodson Taylor	36.28
Tribune Democrat	5.00
Thousandsticks	7.50
John Van Range Co.	59.71
The Warsaw Independent	15.00
Western Union	2.80
Zoner and Blaser Co.	99.15
M. T. Warner	84.60
J. G. Crabbe, pay roll	114.10
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
Paul Greenamyer	140.00
Miss Heald	83.33
Miss Gibson	91.66
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33
J. R. Johnson	166.66
C. A. Keith	141.66
Prof. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00
Miss Reid	75.00

Mrs. Roark	166.66
G. D. Smith	166.66
R. G. Stott	158.33
Miss Hemlepp	83.33
J. P. Culbertson	150.00
Flanagan	40.00
Mrs. Lynn	50.00
Robt. Ramsey	75.00
G. D. Smith	35.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	91.66
Mrs. Wootton	16.36
J. G. Crabbe, petty cash	143.90
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	159.89

October, 1914.

J. G. Crabbe, pay roll	106.60
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
Prof. Greenamyer	140.00
Miss Heald	83.33
Miss Hemlepp	83.33
Miss Gibson	91.66
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33
Prof. Johnson	166.66
Prof. Keith	141.66
Prof. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50

J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
G. D. Smith	166.66
R. G. Stott	158.33
J. P. Culbertson	150.00
Flanagan	40.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	75.00
Smith	35.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	91.66
Mrs. Wootton	16.36
Aikin Lambert Co.	3.66
Anderson News	7.50
Arnold, Hamilton & Luxon	95.49
R. L. Arnold	2.50
Allyn & Bacon	38.45
American Book Co.	164 81
Blanton Lumber Co.	40.64
L. R. Blanton	1.00
Baker & Taylor Co.	41.16
Boggs & Forbes	20.00
A. S. Barnes Co.	2.59
Bourne & Bond	77.66
Covington Thorpe Co.	27.08
James Clark Jr.	12.51
Capital City Dairy Co.	75.38
Thomas Charles Co.	56.44
C. C. Culton	156.15
Curry, Tunis & Norwood	665.28
W. B. Carpenter Co.	9.10
Diem & Wing Paper Co.	24.60
Douglas & Simmons	27.95
Dobson Evans Co.	12.58
Cumberland Tel. Co.	17.65
R. S. Eubank	20.00
Friend Mfg. Co.	31.85
Eberhard Faber Co.	60.85
C. E. Franche Co.	5.81
Chester Green	13.50
F. H. Goosman	40.08

Ginn & Company	18.06
Globe Wenichle Co.	2.60
Houghton Mifflin Co.	19.84
John W. Honaker	9.81
R. S. Hendren	2.00
Harper Illustrating Syn.	69.38
The Historical Publishing Co.	8.25
W. B. Jarvis	3.50
Kentucky Utilities Co.	125.25
Lexington Leader	1.44
Lumiere Jougla Co.	2.34
The Madisonian	47.45
MacMillian Co.	12.68
Jas. A. Moores	28.20
MacMillan Co.	18.14
Orr & Locket Hardware Co.	29.00
The Pantagraph	5.00
Mrs. A. E. Pullen	5.95
The Prang Co.	27.86
Richmond Heating & Plumbing Co.	7.20
Richmond Coal & Supply Co.	144.26
Mrs. S. P. Ross	3.12
Roberts & Bronston	4.00
Richmond Greenhouses	5.00
Richmond Water & Light Co.	208.50
State Journal Co.	.60
G. D. Smith	4.80
The Shelby News	8.00
Vanceburg Sun	7.50
Amanda Smith	15.50
Harrison Smith	27.75
Wolf Wile & Co.	75.23
Phillip L. Willging	8.05
Western Union	2.59
Webb Publishing Co.	10.24
J. W. Zaring	14.30
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	139.78
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	260.76
J. G. Crabbe, pay roll	106.60
Farquhar	25.00

J. G. Crabbe, petty cash	249.35
J. G. Crabbe, pay roll	106.60

November, 1914.

J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	151.98
Advocate Publishing Co.	15.00
American Book Co.	.72
Arnold, Hamilton & Luxon	85.04
D. Appleton & Co.	2.79
Baker & Taylor Co.	226.50
Bell & Peak	6.00
Edward F. Bigelow	1.00
Blanton Lumber Co.	16.48
L. R. Blanton	39.12
Breck & Evans	267.50
Bowman Bros.	9.80
M. E. Bogarte Book Co.	10.00
Robt. R. Burnam	52.50
Capital City Dairy	75.35
Central Methodist Advocate	10.35
Climax Printing Co.	23.00
Columbia School Supply Co.	45.54
Covington Thorpe Co.	29.45
Charles C. Culton	380.64
Curry, Tunis & Norwood	291.20
Cut Rate Printing Co.	4.50
Cumberland Telephone Co.	19.55
Detroit Loose Leaf Spec. Co.	121.50
Douglas & Simmons	18.75
Russell Dyche	4.00
Educational Tablet Co.	15.00
A. Flanagan Co.	1.88
Fleming Gazette	8.00
Joe Giunchigliani	40.30
F. H. Goosman	60.50
Hotel Glyndon	64.00
J. L. Hammett	.61
Harper & Bros.	4.63
Mrs. Stanton B. Hume	12.60
Houghton Mifflin Co.	5.10
Mrs. Armer Hisle	9.81

R. S. Hendron	.80
D. C. Heath	7.01
Iowa Gate Co.	41.28
Interior Journal Co.	15.60
W. B. Jarvis	42.70
Kentucky Utilities Co.	1.25
Lexington Herald	3.24
Kentucky Register	8.00
MacMillian Co.	11.57
G. & C. Merriam	10.80
Montag Bros.	23.18
G. & C. Merriam	27.92
The Mountain Echo	4.80
The Mountain Publishing Co.	2.25
Edgar A. Murray Co.	7.50
Normal City Laundry Co.	96.70
Peaslee Gaulbert Co.	46.00
J. D. Purchell	34.79
Little, Brown & Co.	.57
Rapier Grain & Supply Co.	50.00
The Pantagraph	5.00
Mrs. A. E. Pullen	6.21
Post Exploration Society	17.99
Richmond Ice Co.	53.20
Richmond Heating & Plumbing Co.	42.54
Richmond Water & Light Co.	76.50
Richmond Coal & Supply Co.	130.51
Roberts & Bronston	4.00
Mrs. S. P. Ross	2.70
E. W. A. Roules	10.93
Chas. Scribner's Sons	6.39
Big Sandy News	13.50
Scott, Foresman & Co.	7.35
W. T. Sistrunk Co.	15.55
E. T. Shima	6.24
W. B. Stewart	55.60
Stark Bros.	8.07
A. J. Suit	19.25
Standard Supply Co.	23.70
Swift & Company	38.85
Todd & Son	297.00
R. E. Turley	262.50

John Van Range Co.	8.26
Winchester Democrat	13.00
Willis Music Co.	22.43
John C. Winston Co.	5.30
Western Union Co.	.82
Phillip L. Willging	9.00
Wooster & Company	.59
J. G. Crabbe, buying books	400.00
J. G. Crabbe, buying books	100.00
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Miss Heald	83.33
Miss Hemlepp	83.33
Miss Gibson	91.66
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33
J. R. Johnson	166.66
Prof. C. A. Keith	141.66
Prof. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
Prof. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
G. D. Smith	166.66
R. G. Scott	158.33
J. P. Culbertson	150.00
Flanagan	40.00
Mrs. M. A. Lynn	50.00
Robt. Ramsey	75.00

Smith	35.00
Mrs. Florence Thorpe	50.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	132.78
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	146.12
Harless	68.90

December, 1914.

Armour & Co.	169.10
L. R. Blanton	8.33
Bourne & Bond	18.47
Mrs. Thompson Burnam	10.00
Central Scientific Co.	93.82
Chas. Scribners Co.	1.75
Climax Printing Co.	40.25
Clay City Times	4.00
Columbia School Supply Co.	31.90
Cincinnati Process Eng. Co.	69.50
Continental Plant Co.	5.00
Covington Thorpe Co.	14.75
J. G. Crabbe	13.90
Curry, Tunis & Norwood	569.57
Charles C. Culton	201.66
C. T. Dearing Printing Co.	768.00
Detroit Loose Leaf Specialty Co.	1.53
Diem & Wing Paper Co.	25.19
Division of Recreation	1.20
Educational Tablet Co.	29.40
Edwards Manufacturing Co.	47.64
Ginn & Co.	5.31
Joe Giunchigliani	5.53
W. J. Grinstead	3.95
Greenup Republic	.80
Arthur Rogers	20.00
Hathaway & Co.	2.00
Mrs. Armer Hisle	9.45
Francis Grant Heverlo	31.13
B. Juett & Sons	149.45

Lexington Leader	1.44
Louisville Grocery Co.	56.75
A. C. McClure	16.38
McKinney & Deatherage	11.85
Carlisle Mercury	10.00
Henry F. Mitchell	34.71
James A. Moores	15.55
Moore Cottrell Sub. Agency	176.75
Normal City Laundry	43.80
Ohio Valley School Sup.	4.25
Mrs. R. P. Phelps	4.15
Post Globe Electric Co.	4.48
J. S. Pullen	4.25
Rich. Coal & Supply Co.	431.93
Rich. Water & Light Co.	92.50
Richmond Ice Co.	20.08
Rich. Htg. & Plbg. Co.	29.21
Mrs. S. P. Ross	3.48
Richmond Lumber Co.	119.67
W. T. Sistrunk & Co.	18.32
The State Journal	1.20
E. K. S. N. Student	9.00
Standard Soil Tester Co.	9.10
Swift & Co.	39.15
Survey Associates	1.25
Horace K. Turner Asso. Inc.	6.90
Underwood Typewritter Co.	9.54
The Winifield Nursery Co.	10.42
J. G. Crabbe, pay roll	106.60
J. E. Harless	25.66
J. G. Crabbe, petty cash	124.02
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Miss Heald	83.33
Miss Hemlepp	83.33

Miss Gibson	91.66
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33
J. R. Johnson	166.66
C. A. Keith	141.66
Prof. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
G. D. Smith	166.66
R. G. Stott	158.33
J. P. Culbertson	150.00
Flanagan	40.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	75.00
Smith	35.00
Mrs. Thorpe	50.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
J. G. Crabbe, pay roll	106.60
L. E. Harless	175.02
L. R. Blanton	367.10
Encyclopaedia Brit.	166.75

Items Omitted in 1914 Disbursements.

Blue Grass Commission	31.00
Burke	41.16
Kalkala Co.	12.00
Kentucky Citizen	15.60
F. A. Klaine Co.	1.14
Kentucky Register	17.25
T. S. Todd	100.00
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, petty cash	157.03
J. G. Crabbe, pay roll	74.10
J. G. Crabbe, pay roll	126.45

January, 1915.

Aiken Lambert Co.	1.17
Armour & Co.	98.80
Baker Taylor Co.	17.93
Bennett & Higgins	167.61
Beckley Cardu Co.	5.45
Bourne & Bond	34.91
J. C. Bronston	4.00
J. W. Cammack	23.25
Capital City Dairy Co.	5.73
Central University	894.00
The Coit Lyceum Bureau	125.00
Cumberland Telephone Co.	39.80
Charles C. Culton	154.48
Curry, Tunis & Norwood	294.90
Felix F. Dous Duplicator	6.56
Detroit Loose Leaf Spec. Co.	12.03
Chas. H. Ditson & Co.	9.15
Eaton Crane & Pike Co.	34.91
Educational Tablet Co.	5.03
Emery School Art Co.	17.50
R. S. Eubank	30.00
J. C. Farley	66.00
F. H. Goosman	51.58
Globe Wernicke Co.	20.20
L. E. Harless	87.72
J. L. Hammett Co.	9.42
F. G. Heverlo	7.35
The Heinn Co.	2.60
H. F. Hillenmeyer & Sons	2.25
Indian Refining Co.	30.48
Kentucky Register	3.50
Kentucky Utility Co.	.30
Lexington Leader	1.44
Logmans Green & Co.	2.07
MacMillan Co.	29.74
Madison Garage	5.00
McKinney & Deatherage	5.00
McIntosh Stereopticon Co.	6.36
The Pantagraph	2.50
H. F. Pieratt	103.00
Post Globe Elec. Co.	1.53

Queen City Supply Co.	12.71
Rich. Coal & Supply Co.	465.49
Rich. Heating & Plumbing Co.	2.55
Royal Typewriter Co.	.75
Scott, Foreman & Co.	6.45
W. T. Sistrunk & Co.	16.50
Amanda Smith	3.72
Harrison Smith	10.12
Survey Association	1.50
State Journal	18.20
State Bank & Trust Co.	10,962.59
Sam. L. C. Tatum Co.	9.13
R. E. Turley	378.75
John Morgan Walker	9.00
Ward Bros.	70.98
Western Union	.55
P. L. Willging	22.50
J. G. Crabbe, pay roll	106.60
J. G. Crabbe, pay roll	107.60
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Miss Heald	83.33
Miss Hemlepp	83.33
Miss Gibson	91.66
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33
Prof. Johnson	166.66
C. A. Keith	141.66
Prof. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50

J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Flanagan	150.00
Mrs. M. A. Lynn	50.00
Robert Ramsey	75.00
Mrs. Keith	70.00
Martin	75.00
Mrs. Thorpe	50.00
Smith	35.00
W. M. Wootton	91.66
Mrs. Wootton	16.36
J. G. Crabbe, pay roll	107.60
J. G. Crabbe, petty cash	176.12
J. G. Crabbe, book store	400.00
J. G. Crabbe, book store	100.00
J. G. Crabbe, pay roll	112.60
J. G. Crabbe, petty cash	259.37
J. G. Crabbe, pay roll	121.10

February, 1915.

J. G. Crabbe, pay roll	121.10
J. G. Crabbe, petty cash	316.01
B. Juett	103.99
Agitator Printing Co.	6.00
American Book Co.	202.21
Arnold, Hamilton & Luxon	321.21
Armour & Co.	193 65
J. R. Azbill	5.00
Baker & Taylor Co.	15.30
L. R. Blanton	1.00
Bourne & Bond	63 00
Breck & Evans	135.00
Brown, Roberson Co.	16.50
J. C. Bronston	4.00
Beckley Cardy Co.	15.46
General Electric Co.	2.59
Thomas Charles Co.	49.55
Joseph L. Cohen	15.50

Combs Lumber Co.	17.75
Covington Thorpe Co.	37.02
Cumberland Tel. Co.	19.05
C. C. Culton	409.19
Curry, Tunis & Norwood	983.76
Black Diamond Co.	4.50
Douglas & Simmons	9.80
Educational Tablet Co.	14.70
Edwards Mfg. Co.	1.83
E. V. Elder	21.00
Enterprise Pub. Co.	3.00
L. P. Evans	7.50
Ginn & Co.	137.22
Joe Giunchigliani	26.70
F. H. Goosman	51.40
Mrs. Armor Hisle	6.23
House of Hurst	41.59
Houghton, Mifflin Co.	30.72
William G. Johnson	16.69
Kentucky Register	7.00
Kentucky Utilities	23.30
Lexington Herald	2.88
Lexington Leader	4.00
Longmans, Green & Co.	2.53
Macmillan Co.	27.80
C. H. Mainhart	12.00
R. H. McKinney	14.80
McKinney & Deatherage	10.00
Geoffrey Morgan	166.66
A. C. McClurg Co.	10.20
Messenger Printing Co.	2.10
B. L. Middleton	12.35
Montag Bro.	.72
Normal City Laundry	38.25
Oldham & Harber	4.75
Mrs. R. P. Phelps	3.60
G. W. Pickles	1.50
Post Glover Electric Co.	5.35
J. D. Purcell	113.49
Mrs. A. E. Pullen	11.70
Rapier Grain & Seed Co.	50.00
Richmond Ice Co.	20.60

Richmond Water & Light Co.	282.90
Richmond Coal & Supply Co.	462.16
R. Rogers & Sons	34.37
Mrs. S. P. Ross	4.49
Dr. H. G. Sandlin	7.50
Chas. Scribner's Sons	60.28
D. B. Shackelford	33.02
Shelby News	6.00
Shephard Printing & Pub. Co.	3.50
Amanda Smith	38.25
L. C. Smith Typewriter Co.	7.50
Somerset Journal	3.00
Dr. C. E. Smoot	15.00
Standard Oil Co.	.70
State Journal Co.	116.20
Stockton & Son	1.35
E. K. S. N. Student	4.50
Swift & Co.	69.04
R. B. Terrill	3.75
Todd & Son	32.15
W. A. Todd	5.20
Western Union	3.48
Phillip L. Willging	35.23
Wolf, Wile & Co.	66.07
Zaner & Bloser	13.59
J. W. Zaring Grain and Mill Co.	9.50
Walters Collegiate Institute	3,100.00
J. G. Crabbe, pay roll	121.10
Coit Lyceum Bureau	125.00
J. Crabbe, pay roll	121.10
J. G. Crabbe, petty cash	261.66
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
Miss Heald	83.33
Miss Hemlepp	83.33
Miss Gibson	91.66

Mrs. Hume	50.00
Miss Hurst	100.00
Miss Hansen	83.33
Miss Heverlo	91.66
Prof. J. R. Johnson	166.66
C. A. Keith	141.66
J. G. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Flanagan	50.00
Mrs. Lynn	50.00
Robert Ramsey	75.00
Mrs. Keith	75.00
Martin	75.00
Smith	35.00
Mrs. Thorpe	50.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
Morgan	41.66
Greenamyer	140.00
C. A. Herndon	25.00
J. G. Crabbe, pay roll	121.10
J. G. Crabbe, petty cash	167.36

March, 1915.

J. G. Crabbe, pay roll	121.10
Mrs. E. E. Adams	1.03
American Book Co.	73.56
Armour & Co.	344.66
Arnold, Hamilton & Luxon	329.33
W. Atlee Burpee & Co.	23.76
A. S. Barnes Co.	19.83
Baker & Taylor Co.	1.89
Beckley Cardy Co.	16.67

M. E. Bogarte Book Co.	15.00
Chatfield & Wood Co.	19.46
Chicago Pennant Co.	2.41
Thomas Charles Co.	34.03
Covington Thorpe Co.	5.62
J. G. Crabbe	26.71
C. C. Culton	390.49
Cumberland Telephone Co.	19.52
Curry, Tunis & Norwood	835.75
Detroit Loose Leaf Spec. Co.	90.72
Diem Wing Paper Co.	50.00
The Dolson Evans Co.	1.26
Dow Wire and Iron Works	10.50
Douglas & Simmons	95.40
B. K. Duncan	24.00
Ehbert & Richardson Co.	50.00
Educational Tablet Co.	33.68
Eldridge Entertainment House	1.50
A. Flanagan Co.	11.96
J. Fisher & Bros.	2.32
Joe Giunchigliani	8.60
Globe Wernick	5.20
F. H. Goosman	106.93
Mrs. Armer Hisle	33.52
J. L. Hammett Co.	8.21
Houghton Mifflin Co.	83.12
Wm. G. Johnson & Co.	3.25
Mrs. M. E. Jones	2.90
C. A. Keith	35.00
Kentucky Mountaineer	10.00
Kentucky Register	3.00
Kentucky Utilities	46.03
The Kinney Co.	19.85
Lexington Wholesale Bakery	74.40
Lexington Leader	2.88
R. H. McKinney	6.27
G. & C. Merriam Co.	11.25
James A. Moores	18.95
Normal City Laundry	56.31
Owen McKee	21.95
Ohio Pennant Co.	11.00
The Pantagraph	18.00

The Penn Pub. Co.	2.75
Peaslee Gaulbert Co.	62.00
Mrs. R. P. Phelps	8.50
The Pike County News	3.98
The Post Globe Electric Co.	4.55
Mrs. A. E. Pullen	15.25
The Queen City Supply Co.	1.82
Richmond Lumber Co.	153.95
Richmond Coal and Supply Co.	402.74
Richmond Ice Co.	9.40
Rich. Heating & Plumbing Co.	42.47
Row Petterson & Co.	.22
Rich. Water & Light Co.	159.00
G. Schirmer	5.20
M. A. Selbert	56.73
Amanda Smith	7.00
Standard Oil Co.	19.38
State Journal Co.	.50
Swift & Co.	60.58
R. E. Turley	392.50
Theo. Presser Co.	1.24
The John Van Range Co.	36.75
Western Union	2.66
P. L. Willging	16.06
The Willis Music Co.	14.04
John Wanaker	7.20
Wood Stubbs & Co.	1.82
State Bank & Trust Co.	3,010.00
J. G. Crabbe, petty cash	461.00
J. G. Crabbe, pay roll	121.10
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Miss Heald	83.33
Miss Hemlepp	83.33
Miss Gibson	91.66

Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33
Prof. J. R. Johnson	166.66
C. A. Keith	141.66
J. G. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Flanagan	50.00
Mrs. Lynn	50.00
Robert Ramsey	75.00
Mrs. Keith	75.00
Martin	75.00
Smith	35.00
Mrs. Thorpe	50.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
Morgan	41.66
C. H. Cotton	44.89
J. G. Crabbe, pay roll	121.10
J. G. Crabbe, petty cash	237.57
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, petty cash	177.98

April, 1915.

J. G. Crabbe, book store	1,000.00
J. G. Crabbe, petty cash	353.33
J. G. Crabbe, pay roll	120.10
Ky. Book Depository	11.75
Mrs. W. M. Arbuckle	2.85
American Book Co.	65.86
Ansco Company	42.75
Aiken Lambert Co.	163.08

Armour & Co.	467.11
Arnold, Hamilton & Luxon	301.96
Baker & Taylor Co.	5.68
L. R. Blanton	2.65
Bennett & Higgins	163.90
M. E. Bogarte Book Co.	15.15
Bourne & Bond	135.82
Robt. R. Burnam	22.50
Curry, Tunis & Norwood	894.41
Coit Lyceum Bureau	175.00
Covington Thorpe Co.	9.65
Cincinnati Regalia Co.	5.50
Century Cabinet Co.	15.00
Cumberland Telephone Co.	20.64
Climax Printing Co.	69.80
Charles C. Culton	538.22
Douglas & Simmons	9.50
Diamond Ink Co.	10.94
R. S. Eubank	20.00
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, petty cash	373.95
Educational Tablet Co.	15.12
A. Flanagan Co.	.50
George E. Fern	50.00
The Otto Grau Piano Co.	100.00
F. H. Goosman	211.13
Joe Giunchigliani	11.10
The Greenup Republic	2.40
Ginn & Company	22.84
Hinds, Noble & Eldridge	12.00
Mrs. Armer Hisle	18.60
D. C. Heath	41.37
House of Hurst	16.59
Henry Holt & Co.	1.55
Hathaway & Co.	2.00
Helen Louise Johnson	35.00
Kentucky Utilities Co.	.50
Kaufman, Strauss Co.	3.71
Kentucky Register	4.85
Louisville Grocery Co.	25.25
Lexington Wholesale Bakery	79.20

The Macmillan Co.	122.57
The Methodist Book Concern	13.50
T. J. Moberley	2.90
Owen McKee	4.25
Ohio Valley School Supply Co.	4.40
Ohio Pennant Co.	15.50
The Post Globe Electric Co.	13.06
J. D. Purcell	27.70
Peaslee Gaulbert Co.	55.21
The Pantagraph	1.00
Rich. Coal and Supply Co.	519.38
Richmond Ice Co.	10.60
Richmond Water and Light Co.	356.26
Rich. Heating and Plumbing Co.	1.18
Mrs. S. P. Ross	3.37
W. T. Sistrunk Co.	8.75
W. B. Stewart	221.65
State Bank and Trust Co.	67.50
F. E. Spurling	2.00
A. J. Suit	51.31
Todd & Taylor	7.50
The Tamewitz Works	131.85
Todd & Son	25.55
World Peace Foundation	.67
Webb Publishing Co.	30.30
Willis Music Co.	5.59
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Miss Gibson	91.66
Miss Heald	83.33
Miss Hemlepp	83.33
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Miss Hansen	83.33

Prof. J. R. Johnson	166.66
C. A. Keith	141.66
J. G. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66
R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Flanagan	50.00
Mrs. Lynn	50.00
Robert Ramsey	75.00
Mrs. Keith	75.00
Martin	75.00
Smith	35.00
Mrs. Thorpe	50.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
Morgan	41.66
Miss Patridge	112.50
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, petty cash	365.90

May, 1915.

J. G. Crabbe, pay roll	120.10
Arnold, Hamilton & Luxon	118.97
Armour & Co.	130.20
American Book Co.	78.26
Ansco & Co.	.95
Armour & Co.	205.20
Armstrong Printing Co.	11.00
L. R. Blanton	1.45
M. E. Bogarte Book Co.	7.50
Bain & Co.	1.00
A. S. Barnes Co.	18.00
Baker & Taylor Co.	3.84
Breck & Evans	97.50
Bourne & Bond	84.03
Cumberland Telephone Co.	30.29

Thomas Charles Co.	7.14
Covington Thorpe Co.	22.50
J. W. Cammack	22.50
Climax Printing Co.	75.75
The Cincinnati Regalia Co.	24.09
Coit Lyceum Bureau	125.00
The Continental Plan Co.	7.90
G. Cramer Dry Plate Co.	5.93
W. B. Carpenter Co.	10.19
C. C. Culton	456.75
The Cut Rate Printing Co.	15.75
Curry, Tunis & Norwood	810.60
Dow Wire and Iron Works	825.00
Douglas & Simmons	8.08
Chas. H. Ditson & Co.	12.11
Doubleday, Page & Co.	1.08
Diamond Ink Co.	10.60
Egbert & Richardson Co.	110.00
A. Flanagan	2.93
Fleming Gazette	8.00
Joe Giunchigliani	8.60
F. H. Goosman	215.55
Gast Bank Note Co.	52.84
Ginn & Co.	103.89
Mrs. Armer Hisle	21.15
The James Heckin Co.	19.75
The Henry Field Seed Co.	1.70
W. B. Jarvis	7.18
The Heinn Co.	1.52
The James Heckin Co.	20.00
Mrs. L. K. Henderson	5.00
House of Hurst	22.50
B. W. Hulbsch	1.71
Houghton, Mifflin Co.	20.70
Kentucky Book Depository	.62
Ky. Utilities Co.	39.55
Longman, Green Co.	1.43
Lexington Herald	1.44
Lexington Wholesale Bakery	64.80
Lexington Herald	2.88
J. B. Lippincott Co.	1.40
Louisville Grocery Co.	42.25

Perry Mundy	135.60
B. L. Middleton	3.90
The Madison Garage	1.00
Oshburn Paper Co.	28.95
Mrs. R. P. Phelps	4.70
Mrs. Helena Piotrowski	13.35
Peaslee Gaulbert Co.	9.00
Post Glover Electric Co.	4.62
The Russell Times	2.40
Rich. Water & Light Co.	189.90
Richmond Ice Co.	21.00
Mrs. S. P. Ross	3.00
Rich. Heating & Plumbing Co.	7.92
The Richmond Lumber Co.	75.16
Rand, McNally & Co.	1.23
Rapier Grain and Seed Co.	26.00
Kentucky Register	2.00
Richmond Greenhouses	13.25
Richmond Auto Supply Co.	3.00
Richmond Coal and Supply Co.	373.62
The State Journal Co.	.60
Amanda Smith	15.25
Swift & Co.	26.52
E. K. S. N. Student	13.50
Simmons Hardware Co.	29.70
Shenandoah Nurseries	9.37
Mrs. Jacob Shearer	11.70
G. D. Smith	7.40
Standard Oil Co.	6.10
Chas. A. Keith	35.00
Survey Associates	1.70
Three States	4.80
The University of Chicago Press	1.94
Todd & Son	288.00
Underwood Typewriter Co.	25.50
Fred. A. Vaughn	26.55
John Van Range Co.	5.31
John Wannaker	3.60
Wolf, Wile & Co.	75.22
Western Union	9.04
The Wing Seed Co.	58.25
P. L. Willging	19.54

John C. Winston Co.	10.35
Winchester Democrat	3.00
Willis Music Co.	1.67
J. W. Zaring	73.50
Mrs. A. E. Pullen	29.21
State Bank & Trust Co.	6,434.93
Richmond Lumber Co.	1,088.48
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Hulda Dilling	83.33
Mrs. Mary Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Maude Gibson	91.66
Estelle Heald	83.33
Emma Hemlepp	83.33
Mrs. Stanton Hume	50.00
Jeanie B. Hurst	100.00
Francis G. Herverlo	91.66
May C. Hansen	83.33
Prof. J. R. Johnson	166.66
C. A. Keith	141.66
J. G. Koch	125.00
E. C. McDougle	183.33
Leila McKee	83.33
Mrs. Helena Piotrowski	100.00
Leila Patridge	112.50
J. S. Pullen	100.00
Mary E. Reid	75.00
Mrs. Roark	166.66
R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Clinton Flanagan	50.00
Mrs. M. A. Lynn	50.00
Robt. Ramsey	75.00
Mrs. C. A. Keith	75.00
Wm. Martin	35.00

Harrison Smith	35.00
Mrs. Thorpe	50.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
Geoffrey Morgan	41.66
Edith A. Lovel	50.00
J. G. Crabbe, petty cash	255.05
J. G. Crabbe, petty cash	183.40
J. G. Crabbe, pay roll	120.10
Edith Lovel	50.00
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, pay roll	294.97
J. G. Crabbe, pay roll	120.10
Henry Eames	75.00

June, 1915.

J. G. Crabbe, pay roll	120.10
J. G. Crabbe, buying books	1,200.00
J. G. Crabbe, petty cash	297.39
J. G. Crabbe, petty cash	315.00
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, petty cash	271.14
A. C. Marshall	83.33
J. G. Crabbe, pay roll	120.10
Todd & Son	137.10
Armour & Co.	134.91
Mrs. Arbuckle	2.72
Arnold, Hamilton & Luxon	93.51
Armour & Co.	289.89
Baker & Tauber	4.33
Blanton	10.15
Boston Book Co.	2.25
Bourne & Bond	59.62
Burnam	37.50
Continental Plant	1.89
Coit Lyceum	50.00
Cincinnati Regalia Co.	5.13
Thos. Charles Co.	32.49
Climax Co.	44.55
Cumberland Telephone Co.	26.65
C. C. Culton	487.03

Curry, Tunis & Norwood	1,046.02
Douglas & Son	15.70
Donnelson	6.60
Diem & Wing	50.00
Detroit Loose Leaf Co.	21.00
Dennison Manufacturing Co.	7.38
Mrs. Duerson	3.00
Frederick Disinfectant Co.	10.00
Fischer Bros.	3.12
A. Flanagan	2.30
Gast Bank Note Co.	17.50
Ginn & Co.	13.43
Joe Giunchigliani	13.85
F. H. Goosman	138.63
Greenup Republican	.40
Heekin Co.	34.75
Houghton, Mifflin Co.	1.14
Hammett Co.	46.23
Glyndon Hotel	178.00
Jessamine Journal	5.00
Ky. Utilities Co.	104.35
Lexington Bakery Co.	74.40
McCarthy	7.50
Meyers Bros.	22.88
McKinney & Deatherage	45.08
Madison Milling Co.	21.68
Normal City Laundry	103.04
Mrs. A. E. Pullen	16.32
Post Glover Co.	3.44
M. B. Parrish	3.60
Pantagraph Printing Co.	6.75
Phelps	6.00
Rast	3.75
Register Printing Co.	10.50
Richmond Auto Co.	26.00
Richmond Coal & Supply Co.	178.51
Richmond Water & Light Co.	165.30
Richmond Greenhouses	7.90
Richmond Ice Co.	31.40
W. T. Sistrunk Co.	8.00
Stewart	3.60
Scott Foresman	16.89

G. D. Smith	25.90
Shenandoah Nurseries	.88
State Journal Co.	1.20
Turley	274.55
P. L. Willging	1.30
Willis Music Co.	2.00
Walker	7.00
Western Union	34.08
Wolf, Wile Co.	69.15
A. S. Barnes Co.	7.50
Dr. Heath	.74
School Journal Co.	.84
Elenfeld	.75
School Journal Pub. Co.	.75
Mrs. Armer Hisle	19.38
Journal Publishing Co.	1.50
Teachers' College	2.50
J. G. Crabbe, petty cash	233.93
J. G. Crabbe, salary	300.00
Miss Ames	80.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
P. A. Greenamyer	140.00
Miss Gibson	91.66
Miss Heald	83.33
Miss Hemlepp	83.33
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Hansen	83.33
Miss Heverlo	91.66
Prof. J. R. Johnson	166.66
C. A. Keith	141.66
J. G. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00

Miss E. Reid	75.00
Mrs. Roark	166.66
R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Flanagan	20.00
Flanagan	6.66
Mrs. Lynn	50.00
R. Ramsey	75.00
Mrs. Keith	30.00
W. M. Wootton	91.66
Mrs. W. M. Wootton	16.36
Geoffrey Morgan	41.66
H. Smith	35.00
Mrs. Thorpe	50.00
Turley	150.00
Vaughn	200.00
J. G. Crabbe, pay roll	120.10

July, 1915.

J. G. Crabbe, petty cash	236.24
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, petty cash	164.89
Armour & Co.	270.13
Arnold, Hamilton Luxon	289.39
Allyn & Bacon	20.46
L. R. Blanton	17.85
Burns & Sons Co.	184.99
Bateman Manufacturing Co.	3.50
Bourne & Bond	16.02
A. S. Barnes Co.	10.02
C. C. Birchard	8.31
Bennett & Higgins	66.25
Curry, Tunis & Norwood	399.64
Chickering	752.25
C. C. Culton	420.95
Climax Printing Co.	27.05
Cumberland Telehone Co.	26.17
Cincinnati Regalia Co.	5.06
Covington Thorpe Co.	1.90

Carpenter	1.89
Douglas & Simmons	27.20
S. A. Deatherage	55.00
R. S. Eubank	30.00
F. H. Goosman	168.85
General Electric Co.	11.25
Greenup Republican	.80
Ginn & Co.	4.97
Joe Giunchigliani	18.45
J. L. Hammett	1.18
Handy Window Shade Co.	10.85
Harper's Illustrated	.75
House of Hurst	17.39
Heckin	19.67
Hathaway & Co.	3.00
Hammett	8.50
Juett	7.20
Kentucky Utilities	113.55
Kentucky Register	17.50
Kentucky Post	7.28
Kentucky High School	15.00
Lexington Leader	5.76
Longmans Green	24.99
Lexington Bakery	72.00
Middleton	3.20
Maiden Ridge	23.90
McGaughey Studio	16.00
A. C. McClurg & Co.	20.40
Oldham	46.85
Owen Democrat	4.80
Post Glover	4.23
The Pantagraph	8.00
Mrs. A. E. Pullen	7.05
Oldham & Harber	38.00
Prestonburg Post	4.40
Richmond Ice Co.	44.00
Richmond Coal & Supply Co.	39.06
Mrs. Ross	2.80
Rapier Grain Co.	50.00
Rudolph Wurlitzer Co.	2.18
Amanda Smith	12.96
Stockton & Son	3.35

Shelby News	6.00
State Journal	.60
Schofhausen	20.00
A. J. Suit	24.90
Dr. C. E. Smoot	12.00
W. A. Todd	3.30
Todd & Son	61.15
H. M. Whittington	4.00
P. L. Willging	457.14
Willis Music Co.	5.75
Ward Brothers	6.70
Western Union	3.04
Wolf, Wile & Co.	13.94
Zaring	140.00
D. B. Shackelford	3.30
James A. Moores	9.70
J. G. Crabbe, pay roll	120.10
J. G. Crabbe, petty cash	166.81
J. G. Crabbe, salary	300.00
B. H. Barnard	100.00
I. H. Boothe	108.33
C. E. Caldwell	118.33
Miss Dilling	83.33
Mrs. Deane	91.66
W. J. Grinstead	166.66
Miss Gibson	91.66
Miss Heald	83.33
Miss Hemlepp	83.33
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Heverlo	91.66
Prof. J. R. Johnson	166.66
Jacobson	147.52
C. A. Keith	141.66
J. G. Koch	125.00
E. C. McDougle	183.33
Miss McKee	83.33
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.66

R. G. Stott	158.33
G. D. Smith	166.66
J. P. Culbertson	150.00
Mrs. Lynn	50.00
R. Ramsey	75.00
Mrs. Thorpe	50.00
W. M. Wootton	91.66
Mrs. Wootton	16.40
McElligott	30.00
Morgan	41.66
Smith	35.00
J. G. Crabbe, pay roll	86.78
J. G. Crabbe, petty cash	174.17
J. G. Crabbe, buying books	800.00
J. G. Crabbe, petty cash	485.75
J. G. Crabbe, petty cash	269.23
J. G. Crabbe, pay roll	120.10

August, 1915.

Crabbe	121.15
Armour & Co.	112.10
Azbill	1.50
Bourne & Bond	23.94
Baker & Taylor	4.88
Curry, Tunis & Norwood	182.41
Chickering Piano Co.	700.00
C. C. Culton	253.42
Thos. Charles Co.	.49
Covington Co.	.60
Diem & Wing	8.59
Douglas & Simmons	37.55
Sue Duerson	28.35
E. K. S. S. Student	13.50
East Tennessee Tel. Co.	23.23
E. V. Elder	89.01
Chas. D. Greer	25.00
F. H. Goosman	114.15
Gibson	25.50
Gatchel	30.47
Harper	10.55
Hisle	27.50
Keystone View	4.63

Joe Giunchigliani	3.00
Kentucky Register	14.00
Kentucky Utilities	100.53
E. A. Murray	17.50
Normal City Laundry	216.08
Peaslee Gaulbert Co.	19.00
Mrs. A. E. Pullens	3.90
Pickles	6.50
Pettiborn	22.50
Phelps	14.00
Wurlitzer	.49
Rich. Water & Light Co.	281.40
Richmond Ice Co.	44.20
Richmond Greenhouses	6.75
Sexton Co.	15.00
State Journal	58.13
Amanda Smith	7.75
Shearer	4.20
University Book Store	26.00
Willis Music Co.	3.11
H. M. Whittington	1.00
Western Union Co.	9.98
Zaring	8.00
Harcourt	138.50
J. G. Crabbe, petty cash	297.67
J. G. Crabbe, entry Reg.	200.00
J. G. Crabbe, entry Reg.	200.00
J. G. Crabbe, entry Reg.	200.00
J. G. Crabbe, entry Reg.	200.00
J. G. Crabbe, entry Reg.	200.00
C. C. Wallace	82.35
J. G. Crabbe, petty cash	436.70
J. G. Crabbe, petty cash	225.53
J. G. Crabbe, salary	300.00
B. H. Barnard	100.00
I. H. Boothe	108.37
C. E. Caldwell	118.37
Miss Dilling	83.37
Mrs. Deane	91.74
Miss Gibson	91.66
Miss Heald	83.37
W. J. Grinstead	166.74

Miss Hemlepp	83.37
Mrs. Hume	50.00
Miss Hurst	100.00
Miss Hansen	41.70
Prof. J. R. Johnson	166.74
C. A. Keith	141.74
J. G. Koch	125.00
Miss McKee	83.37
Madam Piotrowski	100.00
Miss Patridge	112.50
J. S. Pullen	100.00
Miss Reid	75.00
Mrs. Roark	166.74
R. G. Stott	158.37
G. D. Smith	166.74
J. P. Culbertson	150.00
Mrs. Lynn	50.00
R. Ramsey	75.00
Mrs. Thorpe	50.00
W. M. Wootton	58.05
McElligott	30.00
Morgan	41.74
Smith	35.00
Miss Heverlo	91.74
E. C. McDougle	183.37

September, 1915.

Albert Crawford	100.00
J. G. Crabbe, petty cash	234.79
Arnold, Hamilton & Luxon	49.28
Oldham & Co.	29.00
Ansco	3.27
Armour & Co.	76.00
Azbill	4.00
Anderson News	10.00
Arco	96.44
Associated Press	7.00
American Book Co.	41.70
Bourne & Bond	7.11
Bennett & Higgins	320.00
Burke	10.00

Belknap Co.	10.00
Bracken Chronicle	3.00
Big Sandy News	9.60
Blanton	20.95
Cobb	5.00
Oglesby	75.00
Carpenter	1.64
Curry, Tunis & Norwood	126.90
Cynthiana Democrat	7.20
Corbin Times	4.50
Cincinnati Regalia Co.	3.74
Detroit Loose Leaf Co.	2.69
Douglas & Simmons	17.30
East Tennessee Tel. Co.	20.21
Fellows	22.50
F. H. Goosman	98.05
Ginn & Co.	17.29
Greenup Republican	.40
Henry County Local	6.50
Harrodsburg Paper	7.50
Jessamine Journal	5.00
B. Juett & Son	28.95
Interior Journal	7.20
International Harvester Co.	39.43
Lexington Leader	4.32
Lexington Herald	5.76
Licking Valley Courier	7.20
Lexington Wholesale Bakery	55.20
Mt. Sterling Gazette	6.00
Murray	17.50
Owingsville Outlook	3.60
News Herald	2.50
Otis Hiddem	7.75
Pinnacle News	3.84
Pendleton Ref.	3.84
Paintsville Herald	2.80
Peaslee Gaulbert	143.98
Burton Roberts	2.00
Richmond Coal & Supply Co.	50.08
Richmond Lumber Co.	75.03

Stephenson	46.02
Somerset Journal	3.00
State Journal	1.35
Sandlin	7.50
James W. Simpson	2.86
John Todd	112.00
Thousand Sticks	4.00
Tribune Democrat	3.00
Todd & Son	20.25
Trimble Democrat	6.00
Vanceburg Sun	6.00
Van Range Co.	1.25
P. L. Willging	240.15
Western Union Co.	24.30
Wing Seed Co.	48.29
Warsaw Independent	10.00
Zaner & Bloser	9.08
J. G. Crabbe, pay roll	113.60
J. G. Crabbe, petty cash	286.41
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, petty cash	130.98
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, salary	300.00
B. H. Barnard	108.33
I. H. Boothe	116.66
C. E. Caldwell	125.00
Mrs. Deane	95.83
Miss Gibson	91.66
Gilbert	75.00
Van Greenleaf	60.00
Mrs. Hume	50.00
W. J. Grinstead	83.33
Miss Hurst	108.33
J. R. Johnson	166.66
C. A. Keith	150.00
J. G. Koch	125.00
E. C. McDougle	191.66
Miss Patridge	112.50
J. S. Pullen	108.33
Miss Reid	75.00
Roberts	83.33

Mrs. Roark	83.33
Madam Piotrowski	33.33
G. D. Smith	166.66
R. G. Stott	166.66
Strader	83.33
Wright	83.33
Miss Dilling	83.33
Miss Hansen	83.33
Miss Heald	83.33
Miss Hemlepp	83.33
Dutter	140.00
Hanowalt	75.00
Morgan	41.66
Oglesby	75.00
J. P. Culbertson	150.00
McElligott	30.00
Mrs. M. A. Lynn	50.00
Mrs. Thorpe	50.00
Robt. Ramsey	75.00
Fleetwood	10.00

October, 1915.

J. G. Crabbe, petty cash	147.12
J. G. Crabbe, pay roll	109.10
American Book Co.	66.66
Armour & Co.	152.53
Azbill	2.00
Aikin & Lambert	48.00
Allyn & Bacon	8.00
American Rad. Co.	4.75
Arco Co.	19.20
Bourne & Bond	57.11
Bruno & Son	13.60
Baker & Taylor Co.	5.90
Boggs & Forbes	12.00
Blanton	8.90
Bennett & Higgins	57.75
C. C. Culton	157.68
Curry, Tunis & Norwood	365.43
Carrolton Democrat	6.00

Cain	5.25
Cincinnati Engraving Co.	10.25
Central Record	7.50
Cumberland Telepone & Tel. Co.	20.98
Thos. Charles Co.	17.90
Carpenter Co.	29.75
Douglas & Simmons	16.50
Duerson	15.95
Detroit Loose L. Co.	27.22
Era Publising Co.	4.00
Enterprise Publ. Co.	4.20
Educational Tablet Co.	44.94
Joe Giunchigliani	15.77
Georgetown News	7.80
Ginn & Co.	1.62
Hisle	4.63
Heath & Co.	15.36
Houghton, Mifflin Co.	2.88
Kentucky Register	45.50
Kentucky Educational A.	15.00
Kentucky Book Depository	28.76
March	9.00
Mountaineer Publishing Co.	9.00
Macmillan Co.	6.83
McKinney & Deatherage	5.85
New Era	1.20
Osborn Paper Co.	59.32
Perry's	14.85
J. D. Purcell Co.	19.60
Pantagraph	18.00
Richmond W. & L. Co.	153.60
Richmond Ice Co.	30.40
Richmond Coal & Supply Co.	30.61
Mrs. S. P. Ross	1.87
Rogers & Sons	160.15
Russell Times	2.40
A. Smith	15.25
State Journal	44.60
Foreman Scott	1.31
Western Union Co.	7.59

Willis Music Co.	3.94
J. G. Crabbe, petty cash	109.92
J. G. Crabbe, pay roll	109.10
Harrison Smith	35.00
J. G. Crabbe, petty cash	84.83
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, pay roll	109.10
Hoosier Male Quartette	85.00
J. G. Crabbe	200.00
J. G. Crabbe, petty cash	221.09
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, salary	300.00
B. H. Barnard	108.33
I. H. Boothe	116.66
C. E. Caldwell	125.00
Mary B. Deane	95.83
Maude Gibson	91.66
Gilbert	75.00
Van Greenleaf	60.00
W. J. Grinstead	83.33
Mrs. Hume	50.00
Jeanne B. Hurst	108.33
J. R. Johnson	166.66
C. A. Keith	150.00
J. G. Koch	125.00
E. C. McDougle	191.66
Lelia E. Patridge	112.50
J. S. Pullen	108.33
Mary E. Reid	75.00
Miss Roberts	83.33
Mrs. Roark	83.33
Madam Piotrowski	33.33
G. D. Smith	166.66
R. G. Stott	166.66
Miss Strader	83.33
M. Eva Wright	83.33
Hulda Dilling	83.33
May C. Hansen	83.33
Estelle Heald	83.33
Emma Hemlepp	83.33

Mr. Dutter	140.00
Hanawalt	75.00
Collins	41.66
F. C. Gentry	60.00
J. P. Culbertson	150.00
McElligott	30.00
Mrs. Lynn	50.00
Mrs. Thorpe	50.00
Robt. Ramsey	75.00
Fleetwood	15.00
Smith	35.00

November, 1915.

J. G. Crabbe, petty cash	104.26
J. G. Crabbe, pay roll	109.10
Arco	77.00
Arnold, Hamilton & Luxon	177.15
Amer. Inst. of C. Life	6.80
Armour & Co.	178.60
Aldridge	4.00
American Book Co.	21.68
Bronston	33.00
Bender	4.67
Black Diamond Co.	2.50
Bruno	1.82
Baker & Taylor	1.45
Bobbs Merrill Co.	.80
Bennett & Higgins	82.70
Bourne & Bond	.53
Cum. Tel. & Tel. Co.	19.20
C. C. Culton	409.21
Climax Printing Co.	144.80
Curry, Tunis & Norwood	395.06
Carlisle Mercury	7.20
Carpenter & Co.	15.25
Columbia S. & S. Co.	17.70
Charles & Co.	3.43
Douglas & Simmons	14.85
Diem & Wing	85.33
Donnelison	3.25

Eaton, Crane & Pike	107.43
Educational Tablet Co.	21.84
Joe Giunchigliani	18.65
F. H. Goosman	79.49
Ginn & Co.	1.68
Grigg	3.61
Hisle	7.87
Huston Eng. Co.	2.27
Harper & Brothers	15.00
Houghton, Mifflin Co.	5.20
Jarvis	55.20
Ky. Book Depository	44.73
Ky. Utilities Co.	110.49
Lexington Leader	2.00
Lexington Herald	2.88
Lemdstrom	16.00
Madison Garage	2.10
McKee	6.65
Mt. Vernon Signal	6.00
Normal City Laundry	85.90
Oldham & Lackey	4.20
Osborn Paper Co.	27.72
Patridge & Co.	9.01
Peaslee Gaulbert Co.	36.22
Priscilla Co.	26.25
Queen City Co.	3.88
Pettibone Bros.	45.00
Perker	1.40
Post Glover Co.	17.05
Richmond Ice Co.	23.60
Rich. Lumber Co.	91.50
Rich. Htg. & Plbg. Co.	19.60
Richmond Greenhouses	.75
Ross	5.62
Rich. Coal & Supply Co.	235.37
E. W. H. Row Co.	3.16
Rand, McNally	2.88
Rich. Water & Light Co.	126.60
C. E. Smoot	25.00
Smith, Watkins Co.	1.25

A. J. Suit	24.57
Scott Foresman Co.	2.27
Spencer	54.90
State Journal Co.	.60
Smith, Amanda	17.75
Swift & Co.	58.38
Todd	49.50
Walker	4.00
P. L. Willging	29.90
Wolfe, Wile & Co.	51.58
Western Union	3.53
Winston	9.60
A. J. Zaring	40.20
J. G. Crabbe, book store	600.00
J. G. Crabbe, petty cash	151.36
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, petty cash	167.38
Ben H. Barnard	172.80
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, petty cash	170.83
J. G. Crabbe, salary	300.00
B. H. Barnard	108.33
I. H. Boothe	116.66
C. E. Caldwell	125.00
Mary B. Deane	95.83
Maude Gibson	91.66
Gilbert	75.00
Van Greenleaf	60.00
W. J. Grinstead	83.33
Mrs. Hume	50.00
Jeanie B. Hurst	108.33
J. R. Johnson	166.66
C. A. Keith	150.00
J. G. Koch	125.00
E. C. McDougle	191.66
Lelia E. Patridge	112.50
J. S. Pullen	108.33
Mary E. Reid	75.00
Miss Roberts	83.33

Mrs. Roark	83.33
Madam Piotrowski	33.33
G. D. Smith	166.66
Miss Strader	83.33
M. Eva Wright	83.33
Hulda Dilling	83.33
May C. Hansen	83.33
Estelle Heald	83.33
Emma Hemlepp	83.33
Mr. Dutter	140.00
Hanawalt	75.00
Collins	41.66
F. C. Gentry	60.00
J. P. Culbertson	150.00
McElligott	30.00
Mrs. Lynn	50.00
Mrs. Thorpe	50.00
Robt. Ramsey	75.00
Fleetwood	15.00
Smith	35.00

December, 1915.

J. G. Crabbe, pay roll	109.10
American Book Co.	78.50
Aikin Lambert Co.	21.00
Armour & Co.	202.50
Agitation Ptg. Co.	6.00
Beckley Cardy Co.	5.08
Bourne & Bond	12.19
Barnes & Co.	.22
Baker & Taylor	25.22
Brock	25.00
Cum. Tel. & Tel Co.	20.18
Clark Electric Co.	15.00
Climax Co.	5.20
Columbia Supply Co.	1.12
Cincinnati P. Eng.	101.35
Cincinnati C. & P. Co.	7.80
Curry, Tunis & Norwood	555.23
Diem & Wing	.39

Elmore	100.00
Ginn & Co.	4.38
Glyndon Hotel	46.25
Heath	5.53
Harcourt	26.00
Hammett	29.21
Houghton Mifflin	1.14
Holt	1.31
Hathaway	1.50
Juett	123.25
Kentucky Register	10.50
Kinney & Co.	121.48
Knott	6.55
Lexington Herald	1.44
Madison Co. Board Education	30.00
S. J. McGaughey	20.00
Murray	15.00
Macmillan	28.77
Ohio Valley Supply Co.	8.75
National Geog. Society	1.00
Peaslee Gaulbert	28.82
Richmond Greenhouses	5.00
City of Richmond	22.50
State Journal	.60
Standard Oil Co.	7.85
Scribners Sons	2.15
Surdo	4.52
Talisman	4.50
Turley	75.00
Todd & Son	25.70
Van Range Co.	247.00
Ward Bros.	74.73
Wilson Co.	8.00
Zaner & Bloser	18.00
Arnold, Hamilton & Luxon	69.65
Blanton	.40
C. C. Culton	308.98
Joe Giunchigliani	12.60
Richmond Ice Co.	18.08
Rich. Water & Light Co.	183.60

Douglas & Simmons	21.90
Richmond, H. & P. Co.	5.25
Moore Cottrell	156.10
McKinney & Deatherage	13.95
Holcomb Mfg. Co.	40.59
F. H. Goosman	99.07
Bruno	8.07
Ashland Independent Co.	2.80
Richmond Coal & Supply Co.	326.00
Willis Music Co.	81.12
Thompson & Co.	157.73
Zaring & Co.	9.70
Scobly	1.25
W. Hendren	6.40
Mrs. S. P. Ross	6.25
Willis Music Co.	.66
Walt Halcomb	50.00
Frye Cruse	22.63
John Cruse	75.83
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, petty cash	197.10
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, petty cash	132.64
J. G. Crabbe, pay roll	109.10
J. G. Crabbe, salary	300.00
B. H. Barnard	108.33
I. H. Boothe	116.66
C. E. Caldwell	125.00
Mrs. Deane	95.83
Maude Gibson	91.66
Gilbert	75.00
Van Greenleaf	60.00
W. J. Grinstead	83.33
Mrs. Hume	50.00
Jeanie B. Hurst	108.33
J. R. Johnson	166.66
C. A. Keith	150.00
J. G. Koch	125.00
E. C. McDougle	191.66
Lelia E. Patridge	112.50
J. S. Pullen	108.33

Mary E. Reid	75.00
Miss Roberts	83.33
Mrs. Roark	83.33
Madam Piotrowski	33.33
G. D. Smith	166.66
R. G. Scott	166.66
Miss Strader	83.33
M. Eva Wright	83.33
Miss Dilling	83.33
May C. Hansen	83.33
Estelle Heald	83.33
Emma Hemlepp	83.33
Mr. Dutter	140.00
Hanawalt	75.00
Collins	41.66
F. C. Gentry	60.00
Culbertson	150.00
McElligott	30.00
Mrs. Lynn	50.00
Mrs. Thorpe	50.00
Robt. Ramsey	75.00
Fleetwood	15.00
Smith	35.00
J. G. Crabbe, pay roll	48.10
J. G. Crabbe, petty cash	93.13
Turley	150.00
R. G. Stott, one month's salary	166.66

B. E. TURLEY,
Treasurer.

The report of C. F. Crecelius, Secretary of State, to 1916 Legislature was presented to the House, which was received and ordered filed.

Said report is as follows:

To the General Assembly of the Commonwealth of Kentucky:

Gentlemen:—I beg to submit herewith, Biennial Statement of the Secretary of State from January 1st, 1914, to Dec. 31st, 1915, inclusive.

There has been collected from the desk of the Assistant Secretary of State during the time the sum of $9,600.00 as follows:

Notaries Public, 3,215 @ $2.00	$6,438.00
Remissions, 193 @ $4.00	772.00
Requisitions, 242 @ $8.00	1,936.00
Warrants, 106 @ $4.00	424.00
Com. of Deeds (foreign), 3 @ $10.00	30.00
Total	$9,600.00

There has been collected on the desk of the Chief Clerk of the Corporation Department during the same period the sum of $9,544.94. The amounts by months follow:

1914.		1915.	
Jan.	$ 524.85	Jan.	$ 331.05
Feb.	1,400.35	Feb.	1,348.45
Mch.	333.85	Mch.	531.35
Apr.	346.10	Apr.	255.00
May	354.15	May	310.80
June	258.90	June	252.05
July	350.49	July	286.83
Aug.	284.20	Aug.	282.07
Sept.	273.80	Sept.	254.75
Oct.	293.40	Oct.	284.25
Nov.	224.50	Nov.	276.00
Dec.	244.60	Dec.	243.15
Total	$4,889.19	Total	$4,655.75
			4,889.19
		Grand total	$9,544.94

The 1914 General Assembly enacted a law providing for a Commissioner of Motor Vehicles. This law became effective June 14th, 1914, and since that date, the Secretary of State has not handled the revenues derived from the licenses issued

to owners of Motor Vehicles. However, the desk known as the "automobile desk" remained in charge of this department until June 14th, 1914; therefore we submit the following statement of this desk from January 1st, 1914, to June 14th, 1914.

Licenses collected from the automobile desk from January 1st, 1914, to June 14th, 1914, are as follows:

3,362 licenses	@ $ 5.00	$16,810.00
1,929 licenses	@ 10.00	19,290.00
14 licenses	@ 20.00	280.00
Total		$36,380.00

According to a report of Sherman Goodpaster, State Inspector and Examiner of this Department, made and filed with the Governor, as of date September 2nd, 1914, additional errors and discrepancies were reported as follows:

To which I add—

Error No. 18053, J. W. Kirk	$ 5.00
Error No. 18648, J. A. Kelley	5.00
Error No. 17809, C. C. Mengle	15.00
Error No. 17970, D. B. Neal	5.00
Not on register, No. 13815, Settle	5.00
Not on register, No. 14470, Phillips	10.00
Not on register, No. 14923, Bishop	5.00
Not on register, No. 15508, Hewlett	5.00
Not on register, No. 16019, Long	5.00
Not on register, No. 17358, S. Cov. St. Ry. Co.	5.00
Not on register, No. 17741, Boxter	5.00
Not on register, No. 17739, Coleman Gro. Co.	5.00
Not on register, No. 17647, Smith	10.00
Not on register, No. 18181, Stevens	5.00
Not on register, No. 18656, Rice	5.00
	$36,475.00

Credit, No. 14394, Burford—On reg. twice	10.00
Total due the State	$36,465.00
Settlement with the Auditor	36,557.96
Overpaid by Secretary of State	$92.96

The above sum of $92.96 overpaid to the State Treasury by this department has been corrected in the final recapitulation of the report made by the State Inspector and Examiner.

I am attaching to this report the letters of my Assistant Secretary of State and my Chief Corporation Clerk, containing their reports, and wish to make them a part of this record.

Respectfully yours,

C. F. CRECELIUS,
Secretary of State.

December 31, 1915.

January 1, 1915.

Honorable C. F. Crecelius,
Secretary of State,
Frankfort, Kentucky.

Dear Sir:—As per your instruction I have made a careful examination of the records pertaining to the desk of the Assistant Secretary of State, touching the fees due the Commonwealth from said desk from the 1st day of January, 1914, to the 1st day of January, 1916, and beg leave to report the following:

Notaries Public, 3,215 @ $2.00	$6,438.00
Remissions, 193 @ $4.00	772.00
Requisitions, 242 @ $8.00	1,936.00
Warrants, 106 @ $4.00	424.00
Com. of Deeds, 3 @ $10.00	30.00
Total	$9,600.00

Which amount has been covered into the State Treasury as appears of record on file in the State Auditor's Office.

Very truly yours,

CHAS. J. HOWES,
Asst. Secretary of State.

January 1, 1915.

To the Honorable Secretary of State,
Frankfort, Kentucky.

Dear Sir:—I respectfully report to you the amount of fees collected, and turned over to the Auditor of Public Accounts, by the Corporation Department, during the years 1914 and 1915, as follows:

1914	$4,889.19
1915	4,655.75
Total	$9,544.94

Very respectfully,

E. MAGOFFIN,
Chief Clerk, Corporation Dept.

Mr. Hobbs offered the following resolution, viz.:

Whereas, there was introduced and filed in the House of Representatives on January 13, 1916, a petition signed by John A. Gary, R. C. Sievers, C. E. Cane, J. R. Bruce, P. M. Stephenson, J. C. Roberts, W. F. Hinkle and Logan Bryan, seeking to have impeached one, J. E. Williams, County Judge of McCreary county, Kentucky, on various charges set out and stated in said petition so filed.

Now, therefore, be it resolved by the House of Represen-

tatives of the State of Kentucky, that a committee of seven be appointed by the Speaker to hear the proof in regard to said charges.

Said committee shall have full and complete power to subpoena, administer oaths and to issue any such process as may be necessary for the production of books, records and other documents that may be necessary for a full and complete investigation of said matter, and said committee is now and hereby given and invested with all the power that may be necessary to coerce witnesses and their attendance, together with any books, papers or documents that may be in their possession for the purpose of the proper determination of the matters and things herein set out and are given full and complete authority to do and perform each and everything and matter that is necessary for a full and complete hearing of the matters and things directed by this resolution to be heard and determined.

Said resolution was adopted.

Mr. W. M. Webb called up from the Clerk's desk for consideration a resolution of the following title:

H. Res. 6. Resolution requesting the State Inspector and Examiner to furnish to the General Assembly certain information.

(For said resolution see House Journal of January 12, 1916.)

Mr. Duncan offered the following amendment to said resolution by way of substitute therefor.

Said substitute is as follows:

Resolved, that the Inspector and Examiner shall im-

mediately report to the General Assembly whether or not the Secretary of State or the head of any other Executive Department of the Commonwealth having lump sum appropriations to be used in the discretion of such head of said department, has provided for the expenditure of such sum, and if not what part of such sum is unexpended and to whom such sums are paid, stating in full and in detail whether said sums are paid for work not provided for by statute or used for supplementing and increasing salaries thus provided for. Such reports shall show, in addition, the number of persons in each of said departments, and show whether paid out of lump sum appropriations.

The State Inspector and Examiner shall state in his report the manner of employment of each of said persons, the beginning and expiration of the term of each of said officers, the amount received for services rendered, whether or not said persons are now engaged in the performance of said services, and the number of hours in the day actually employed in the discharge of the duties assigned to each of said employes.

Mr. W. M. Webb moved that he be given the unanimous consent of the House to withdraw House Resolution 6.

Said motion was agreed to.

Said amendment by way of substitute therefor to House Resolution 6 was then agreed to, and adopted.

Upon the call of the counties and representative districts, the following bills were introduced, ordered printed and referred, viz.:

By Mr. Cooper:

H. B. 123. An act providing for appeal in all criminal

cases from the judgment of county, police and justices of the peace courts to the circuit court.

To Committee on Codes of Practice.

By Same:

H. B. 124. A bill to pay all persons having been summoned as grand jurors and not accepted the same as other jurors, and also to pay persons summoned to testify before the grand jury.

To Committee on Judiciary.

By Mr. W. M. Webb:

H. B. 125. An act to amend section 5 of an act entitled, "An act to amend chapter 113, article VIa, Carroll's Kentucky Statutes, 1909 (page 133, Act of March 24, 1908), districts, trustees, teachers, taxation," found in Acts of 1912, page 121.

To Committee on Kentucky Statutes.

By Same:

H. B. 126. An act requiring the true and actual consideration to be stated in all deeds of conveyance, and providing penalties for failure to so state.

To Committee on Kentucky Statutes.

By Same:

H. B. 127. An act for the protection of persons engaged in selling hay, grain, feed or provender for consumption of live stock.

To Committee on Agriculture.

By Mr. Richardson:

H. B. 128. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisance; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purposes; and providing certain penalties against the person maintaining said nuisance and against the building and owner thereof.

To Committee on Criminal Law.

By Mr. Harvey:

H. B. 129. An act changing the time of holding circuit court in the Fifth Judicial District.

To Committee on Circuit Courts.

By Mr. Hobbs:

H. B. 130. An act to amend section 145 of the Constitution.

To Committee on Constitutional Amendments.

By Mr. White:

H. B. 131. An act to amend and re-enact section 68a Kentucky Statutes, Carroll's edition, 1915, relating to dogs and the promotion of the sheep industry.

To Committee on Agriculture.

By Mr. Bullock:

H. B. 132. An act to regulate the sale and distribution of field and garden seeds in the Commonwealth of Kentucky.

To Committee on Agriculture.

By Mr. Minor:

H. B. 133. An act permitting proprietors of repair shops to sell articles upon which charges have not been paid.

To Committee on Immigration and Labor.

By Mr. Holland:

H. B. 134. A bill authorizing counties of this State to operate ferries.

To Committee on Public Utilities.

By Mr. Crowe:

H. B. 135. An act to amend an act entitled, "An act to incorporate the Kentucky Confederate Home and provide for the maintenance thereof," approved March 27th, 1902; amended March 26th, 1904; March 21st, 1906; March 19th, 1910, and March 18th, 1912.

To Committee on Confederate Home.

By Mr. Embrey:

H. B. 136. An act to repeal section 2738a of Article 18, Kentucky Statutes, Carroll's edition, 1915.

To Committee on Mines and Mining.

By Mr. Bailey:

H. B. 137. An act to regulate the construction and maintenance of railroad crossings at public roads, streets and private passways authorized by law and imposing a penalty.

To Committee on Public Roads and Highways.

By Mr. Johnson:

H. B. 138. An act to allow the use of hoopnets in the navigable rivers of Kentucky.

To Committee on Fish and Game.

By Mr. Jones:

H. B. 139. An act to amend section 3710, Kentucky Statutes, Carroll's edition, 1915, relating to judicial department of towns of the sixth class.

To Committee on Cities of the Fifth and Sixth Classes.

By Mr. Pickett:

H. B. 140. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

To Committee on Railroads.

By Mr. Mathers:

H. B. 141. An act regulating partition fences and creating a board of fence reviewers.

To Committee on Agriculture.

By Mr. Lyon:

H. B. 142. An act to repeal and re-enact section 1309 of chapter 36, Carroll's edition, 1915, Kentucky Statutes, relating to carrying concealed deadly weapons and selling deadly weapons to a minor.

To Committee on Kentucky Statutes.

Mr. Greene called up from the Clerk's desk a resolution of the following title, viz.:

H. Res. 5. Resolution directing Auditor of Public Accounts to refund certain moneys due certain saloon keepers who had paid State licenses in excess of the period they were allowed to sell.

Ordered that said resolution be referred to the Committee on Appropriations.

Ordered that said resolution be printed.

A message was received from the Senate announcing that they had concurred in joint resolution which originated in the House of the following title, viz.:

H. Res. 2. Resolution providing copies of Governor's message for House members and Governor.

That they had adopted a resolution of the following title, viz.:

S. Res. 4. Resolution relating to joint rules.

Ordered that said resolution lie on the Clerk's desk.

Mr. Meyers moved that when this House adjourns today it be to meet again on Monday, January 17, 1916, at one o'clock P. M.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted a resolution of the following title, viz.:

S. Res. 6. Invitation to Mrs. Beatrice Forbes-Robertson Hale to address the General Assembly.

Said resolution reads as follows:

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein, that an invitation be and the same is hereby extended to Mrs. Beatrice Forbes-Robertson Hale to address the General Assembly, in committee of the whole, in the hall of the House of Representatives, on Tuesday, January 18, 1916 next, at 12 o'clock.

Mr. Hobbs moved that the House take from the Clerk's desk said resolution for immediate consideration and adoption.

Said motion was agreed to.

Mr. Dorman offered the following amendment to said Senate Resolution No. 6, viz.:

Amend by inserting "8 o'clock P. M." instead of "12 M."

Said amendment was disagreed to.

Said S. Res. 6, was then concurred in.

Mr. Schneider offered the following as a resolution, viz.:

RESOLUTIONS ADOPTED AT THE STATE MEETING IN THE INTEREST OF GAME, FISH, AND SONG AND INSECTIVOROUS BIRDS.

Be it resolved by this body in convention assembled in Frankfort, Ky., January 12, 1916:

1. That we approve of the call of this convention.

That we favor the conservation of our game birds, game animals, fish, song and insectivorous birds, and laws for their protection.

That we respectfully recommend to the General Assembly of Kentucky now in session, the following changes in the laws on this subject.

2. A bag limit on quail of not more than twelve (12) birds per day per hunter.

3. A bag limit on doves of not more than fifteen (15) per day per hunter.

4. An open season on doves only from September 1st to October 15th.

5. An open season on squirrels from July 1st to December 15th.

6. The season on woodcock to be closed indefinitely.

7. Prohibit the export of all game birds and animals protected under the Kentucky law.

8. Prohibit the sale of rabbits in the closed season.

9. Five year closed season on wild turkeys, pheasants and Hungarian partridges.

10. Confining bird dogs during the months of April, May and June.

11. Permit the sale and transportation of game birds raised in captivity, when accompanied by permit from the State Game and Fish Commission, which shall be issued upon request without cost to the applicant.

12. Five year closed season on deer, elk, and all imported game animals.

13. Reduce the maximum fine in all cases for the violation of the game and fish laws, in order that county judges and justices of the peace shall have jurisdiction to try and dispose of cases for the violation of the laws protecting game birds, song and insectivorous birds, game and animals, fish, and fur-bearing animals.

14. Provide that landowners may be permitted to hunt upon their own land in season without license, and repeal that part of the law which gives them a right to hunt upon adjoining land with the permission of the owner or occupant.

15. Whereas, fur-bearing animals are fast becoming extinct in this State; whereas, the agricultural department at Washington, D. C., scientists and naturalists have issued bulletins proclaiming the fur-bearing animals the farmer's best friend, and estimate that a skunk is worth $5.00 a year to a farm of 100 acres and a red fox $10.00 a year, over and above

any damage they may do, because 90% of the food of fur-bearing animals consists of farmer's pests, mice, moles, and destructive insects, etc.

Whereas, the timely hunting of fur-bearing animals makes farm life more attractive to the farmer boy, and whereas the unseasonable slaughter of fur-bearing animals means an annual financial loss to this State of upwards of $100,000 by capturing and killing these animals before the fur is "ripe" or matured, and during the breeding season;

Whereas, all our border States have enacted legal statutes to amply protect their fur-bearing animals;

Whereas, we deplore the many nature-fakir stories of the past, tending to poison the minds of our youth, giving them false ideas and prejudicing them against the true value of these animals, especially since the modern housing of poultry puts them inaccessible to the fur-bearing animals, who only seek their food by night.

16. We endorse and approve the enactment of laws by the present Legislature prohibiting "gigging, spearing, groping, noodling, sledging, or by taking fish (except minnows for bait), from any of our inland streams, by any means whatsoever, except with pole and line, trot line, set line or hand line, and that the shooting of fish in any manner be prohibited."

Be it further resolved, that a copy of these resolutions be sent to both Houses of the Legislature now in session, with the request that the Honorable Speaker of the respective Houses have it read to the members in open session.

(Signed) H. V. McChesney, Chairman,
Steve K. Vaught, Secretary.

Ordered that said resolution be referred to the Committee on Fish and Game.

Ordered that said resolution be printed.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned to meet on Monday, January 17, 1916, at one o'clock P. M.

MONDAY, JANUARY 17, 1916.

The House was opened with prayer by the Rev. T. W. Watts, Pastor of the Methodist Church, of Frankfort, Ky.

The Speaker of the House made the following announcement to the members of the House in writing, viz.:

"To the Lower House of the General Assembly of Kentucky:

"Being unable to get my physician this morning to consult with about my leaving the hotel, I feel that it will be unwise in me to venture out until I have had a conference with him.

"I, therefore, appoint the Hon. J. D. Pumphrey, of the county of Fleming, to preside as Speaker over the House today.

"This Jan. 17, 1916.

(Signed) "H. C. DUFFY, Speaker."

Thereupon Mr. Pumphrey took the chair and presided as Speaker *pro tem.* of the House.

The reading of the Journal of Friday, January 14, 1916, was dispensed with.

The Speaker laid before the House a communication in writing as follows:

"January 13th, 1916.

"*To the Hon. Members of the Kentucky Legislature,*
Frankfort, Kentucky.

"Dear Sirs:—We, the citizenship of the city of Olive Hill, Carter county, Kentucky, through our representatives, Albert J. Counts, Police Judge, and H. B. Hicks, Mayor, most respectfully ask your support of Senate Bill No. ..... introduced by Senator Thomas Combs, of Fayette, entitled 'An act making it a high misdemeanor to abandon wife and child.'

"While sections 327, 328, 329, Kentucky Statutes, are in full force and effect as to the abandonment of child, no conviction can be had for abandonment of wife.

"Therefore, we most respectfully ask the support of every member in the passage of this bill as it will mean much to the wives and helpless mothers of this Commonwealth, and in keeping with the laws of Ohio and other progressive States.

"Respectfully submitted,
(Signed) "ALBERT J. COUNTS,
Police Judge.
H. G. HICKS,
Mayor."

Mr. Stone called up from the Clerk's desk for consideration a resolution of the following title:

H. Res. 3. Resolution relating to appointing a committee to investigate into and investigate the expenditures of all departments of the State.

(For said resolution see House Journal of January 12, 1916.)

Mr. Stone moved that he be given the unanimous consent of the House to withdraw House Resolution 3.

Said motion was agreed to.

A message was received from the Senate announcing that they had disagreed to a House resolution of the following title:

H. Res. 1. Resolution providing that no extra help be employed.

Mr. Hobbs moved that the House concur in the action of the Senate on said H. Res. 1.

Said motion was agreed to.

Mr. Greene sent to the Clerk's desk and asked to be read a communication in writing as follows, viz.:

"September 7, 1915.

"*To the Honorable Secretary of State*
of the State of Kentucky,
Frankfort, Ky.

"Dear Sir:—I am pleased to hand you herewith at the

direction of the Eleventh Regular Session of the Utah State Legislature, certified copies of the following memorials:

"Senate Joint Memorial Number One—A petition for the enactment by the Congress of the United States of House Resolution No. 15,859, introduced by Mr. Foster.

"Senate Joint Memorial Number Five—Relating to the destruction of certain wild animals.

"Will you have the kindness to forward these memorials to your Legislature, and oblige,

"Yours very kindly,

"DAVID MATTSON,
Secretary of State,
By T. L. HOLMAN, Deputy."

In accordance with the above communication the documents and papers referred to therein were ordered received and to be considered read.

Mr. Stone called up from the Clerk's desk a resolution of the following title, viz.:

H. Res. 7. Resolution urging representatives in Congress to pass a measure protecting the American laborer against foreign immigration.

(For said resolution see House Journal January 12, 1916.)

Mr. Perry moved that said resolution be referred to a Committee on Immigration and Labor.

Said motion was agreed to.

Mr. Allen moved that Master June Meeks be permitted to enter upon the floor of the House of Representatives for the purpose of selling papers to the members thereof.

Said motion was agreed to.

Mr. Perry offered the following joint resolution, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That copies of the two constitutional amendments, relating to the classification of property for taxation and employment of convicts on the public roads, be printed and placed on the desks of the members.

Ordered that said resolution lie on the Clerk's desk.

Upon the call of the counties and representative districts the following bills were introduced, ordered printed, and referred, viz.:

By Mr. Barrett:

H. B. 143. An act to repeal section 1649b, Kentucky Statutes, known as the anti-sweating law.

To Committee on Criminal Law.

By Same:

H. B. 144. An act to provide for a Woman's Building on the campus at State University of Kentucky, Lexington, Ky.

To Committee on State University and Normal Schools.

By Mr. Pickett:

H. B. 145. An act to permit corporations organized for the purpose of transacting the business of life or casualty insurance, or both life and casualty insurance, upon the co-operative or assessment plan, to re-incorporate as life insurance companies on the mutual or stock plan; and providing means whereby, and the conditions on which, such re-incorporation may be effected.

To Committee on Insurance, Life and Accident.

By Mr. Neat:

H. B. 146. An act to change the time of holding the regular terms of the circuit courts in the county of Cumberland in the Twenty-ninth Judicial District.

To Committee on Circuit Courts.

By Mr. Duncan:

H. B. 147. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

To Committee on Education.

By Same:

H. B. 148. An act to amend and re-enact section 4022 of chapter 108, Carroll's Kentucky Statutes, 1915 edition, so that in valuing real estate for the purpose of taxation all purchase money notes that the vendee owes on said land which is a lien on same shall be deducted from the value of

said real estate, and so that the owner of said land shall only be assessed with the amount that has actually been paid on same.

To Committee on Revenue and Taxation.

By Mr. Kauffman:

H. B. 149. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

To Committee on Kentucky Statutes.

By Mr. Radcliffe:

H. B. 150. An act to further amend sections 124 and 143 of an act entitled "An act providing for the creation and regulation of private corporations, which became a law April 5, 1893, as amended by an act entitled 'An act to amend an act entitled An act for the creation and regulation of private corporations,' " being an act relating to the subject of insurance and the transaction of the business of life or casualty insurance or both life and casualty insurance upon the co-operative or assessment plan, which became a law on June ....., 1910, and is chapter 103 of the Acts of 1910, and which sections are sections 661 and 680 of the Kentucky Statutes, Carrol's edition of 1915.

To Committee on Insurance, Life and Accident.

By Mr. O'Brien:

H. B. 151. An act to amend section 694 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. W. M. Webb:

H. B. 152. An act for the benefit of Elbridge Wells.

To Committee on Claims.

By Same:

H. B. 153. An act for the benefit of Charles Wells.

To Committee on Claims.

By Mr. Bays:

H. B. 154. An act to amend and re-enact subsection 1 of section 2738q, Kentucky Statutes, edition 1915, relating to inspector of scales and weights at mines.

To Committee on Kentucky Statutes.

By Mr. Brashear:

H. B. 155. An act to further regulate the shipment by carriers of alcoholic liquors into territory where the sale of such liquors is unlawful.

To Committee on Alcoholic Liquor Traffic.

By Mr. Gardner:

H. B. 156. An act authorizing J. W. Ray to sue the State of Kentucky.

To Committee on Claims.

By Mr. Greene:

H. B. 157. An act to repeal sections 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 637, 638, 639, 640, 641, 642 of subdiv. 1 of article 4, chapter 32, sections 682, 683, 684, 684a, 685, 686, 687, 688, 689, 690, 691, 692, 692a, 693, 694, 695, 696, 697, 698, 699, 700 of subdivision 4 of article 4, of chapter 32, sections 744, 745, 746 747, 748, 749, 750, 751, 752, 753, 754, 755, 757, 758, 759, 760, 761, 762 of subdivision 8, of article 4 of chapter 32 sections 762a 762b, 762c and 762d of subdivision 9 of article 4, of chapter 32, section 4229 of subdivision 4, of article 13, of chapter 108, sections 4234, 4235, 4236 and 4237 of subdivision 6, of article 13, of chapter 108, all Carroll's Kentucky Statutes, and to enact new sections to be known as sections number 617, 618, 619, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 637, 638, 682, 685, 686, 688, 689, 691, 692, 693, 695, 745, 762, 4229 of said statutes, relating to insurance.

To Committee on Insurance, Fire and Marine.

By Same:

H. B. 158. An act to amend and re-enact section 4203, etc.

To Committee on Kentucky Statutes.

By Mr. Roach:

H. B. 159. An act to amend sections 356 of the Kentucky Statutes, Carroll's edition, 1909, as amended by chapter 96 of the Acts of 1910, so as to decrease the fees of jailors.

To Committee on County and City Courts.

By Mr. McMurray:

H. B. 160. An act to amend and re-enact section 1304, Kentucky Statutes, Carroll's 1915 edition, relating to selling without license spirituous, vinous or malt liquors making the offense a felony.

To Committee on Alcoholic Liquor Traffic.

By Mr. Bailey:

H. B. 161. An act to prevent banks and bank and trust companies from loaning any of the funds of the bank or bank and trust company to any officer or employee or any near relative or member of their family and imposing a penalty.

To Committee on Banks and Banking.

By Same:

H. B. 162. An act to amend section 1899 of Carroll's 1915 edition of the Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Harvey:

H. B. 163. An act making it unlawful to conduct or permit to be conducted a grocery or a meat market in connection with the sale of spirituous, vinous, malt or other intoxicating liquors.

To Committee on Alcoholic Liquor Traffic.

By Mr. Coleman:

H. B. 164. An act to amend an act entitled "An act to create and establish a system of public State roads and to provide for the construction and maintenance of same," being chapter 87 of the Acts of 1914; approved March 24th, 1914.

To Committee on Public Roads and Highways.

By Mr. Wilson:

H. B. 165. An act for the protection of fish.

To Committee on Fish and Game.

By Same:

H. B. 166. An act for the protection of rabbits and fur-bearing animals.

To Committee on Fish and Game.

By Mr. Stone:

H. B. 167. An act to repeal "An act to provide for the investigation of fires in this Commonwealth and to provide for the appointment of a Fire Marshal of the State of Kentucky and for assistants to the Fire Marshal; fixing their power and duties; also to provide for the payment of the Fire Marshal's salary and the payment of expenses incurred in the investigation of fires in this Commonwealth, including the pay of assistants to the Fire Marshal," approved March 11, 1912.

To Committee on Kentucky Statutes.

By Same:

H. B. 168. An act to provide for the inspection of all public or private hospitals, reformatory homes, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, by the fiscal court of the county in which such institutions are situated, by the grand jury thereof, or by any person or persons appointed by a judge of a court of record, upon a petition signed by twenty-five persons of said county.

To Committee on State Prisons and Houses of Reform.

By Mr. Hobbs:

H. B. 169. An act to amend and re-enact sections 3194 and 3195 of the Kentucky Statutes, relating to the sinking fund in cities of the second class.

To Committee on Municipalities.

By Same:

H. B. 170. An act to amend and re-enact section 1243 Kentucky Statutes, relating to petty larceny.

To Committee on Municipalities.

By Same:

H. B. 171. An act to amend and re-enact section 1256 of Kentucky Statutes, relating to unlawful taking and injuring property.

To Committee on Municipalities.

By Mr. White:

H. B. 172. An act to amend subsection 8 of section 4489, chapter 113, Kentucky Statutes (Carroll's 1909), relating to the issuing of school improvement bonds.

To Committee on Education.

By Same:

H. B. 173. An act to repeal subsection 24 of section 1954c, chapter 57a, Kentucky Statutes, Carroll's edition, 1915, Acts of 1912, relating to hunting license.

To Committee on Agriculture.

By Mr. Johnson:

H. B. 174. An act to repeal and re-enact sections 4052, 4056, 4057, 4058, 4059 and 4059a of article 2, chapter 108, and sections 4115, 4116 and 4119 of article 7, chapter 108, and sections 4130, 4142, 4143, 4147 and 4148, article 8, chapter 108, and sections 4239c and 4240, article 15, chapter 108 and sections 4268, 4271, 4273 and 4276, article 18, chapter 108 of Kentucky Statutes, Carroll's edition of 1915, relating to revenue and taxation.

To Committee on Revenue and Taxation.

By Mr. Gearheart:

H. B. 175. An act to amend section 4464 of article 10, chapter 113, Kentucky Statutes, Carroll's edition 1915, A. D., entitled "Graded Common School."

To Committee on Education.

By Mr. Embrey:

H. B. 176. An act prohibiting the killing or injuring of wild foxes, while the same are being chased by dogs or hunters, and providing a penalty therefor.

To Committee on Fish and Game.

By Mr. Pumphrey:

H. B. 177. An act to amend sections 2514 and 2515 of Carroll's edition of the Kentucky Statutes.

To Committee on Kentucky Statutes.

By Same:

H. B. 178. An act to amend an act of the General Assembly of the Commonwealth of Kentucky, approved March 18, 1912, entitled: "An act relating to cities of the fifth class," and repealing section 3643, chapter 89, Kentucky Statutes, Carroll's edition.

To Committee on Cities of the Fifth and Sixth Class.

Mr. Wilson moved that the House dispense with the reading of the report on fire insurance legislation offered by Mr. Greene.

Said motion was agreed to.

Mr. Meyers moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 18, 1916.

The House was opened wth prayer by the Rev. T. W. Watts, Pastor of the Methodist Church, of Frankfort, Ky.

The reading of the Journal of yesterday's proceedings was dispensed with.

The Speaker made the following announcement of the names of reporters representing the various newspapers on the floor of the House of Representatives, viz.:

Griffin Cochran, Lexington Leader.
J. Sherman Porter, Lexington Herald.
Roger Burlingame, Frankfort State Journal.
Dulin Moss, Cincinnati Inquirer.
Robert Anderson, Louisville Herald.
Mrs. Dulin Moss, Lexington Herald.
Omer Newman, Frankfort State Journal.
Harry Bloom, Louisville Evening Post.
L. V. Armentrout, Frankfort State Journal.
T. B. Cromwell, Cincinnati Inquirer.
Will S. Kaltenbacher, Courier-Journal and Louisville Times.
Arch Pool, Frankfort State Journal.
Claud W. Perry, Courier-Journal and Louisville Times.
H. A. Richardson, Danville Advocate.

In accordance with and pursuant to a resolution to appoint a committee to hear the charges in a petition filed by John A. Geary and others, against J. E. Williams, County Judge of McCreary County (for said resolution see House Journal of January 14, 1916), the Speaker made the following announcement of the committee to hear and determine the impeachment proceeding to be had in said action as follows, viz.:

W. A. Price, Chairman; R. B. Hutchcraft, W. C. G. Hobbs, D. J. Howard, F. M. White, S. M. O'Brien and J. D. Pumphrey.

The Speaker announced that he was ill, and not able to preside over the deliberations of the House, and designated the Hon. J. D. Pumphrey, of Fleming county, to preside as Speaker *pro tem.* today.

Thereupon Mr. Pumphrey took the chair and presided.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred, viz.:

By Mr. Price:

H. B. 179. An act to amend an act entitled "An act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith." (Passed and approved by the General Assembly of the Commonwealth of Kentucky and approved by the Governor on the 19th day of March, 1912, being chapter 137 of the Acts of 1912.)

To Committee on Municipalities.

By Mr. Minor:

H. B. 180. An act amending section 4258, Kentucky Statutes, and doing away with the office of Supervisor of Revenue Agents and clerk to such Supervisor of Revenue Agents by such amendment.

To Committee on Revenue and Taxation.

By Same:

H. B. 181. An act to amend subsections 2 and 3 of section 68a of Kentucky Statutes, relating to animals.

To Committee on Agriculture.

By Mr. Dowling:

H. B. 182. An act to repeal section 203 of the Criminal Code of Practice by striking out all of said section and substituting therefor.

To Committee on Codes of Practice.

By Same:

H. B. 183. An act to prohibit the buying or selling of patients by physicians or surgeons or other persons, and to define what shall constitute the buying or selling of patients and to fix the punishment for violation of this act.

To Committee on Public Health.

By Mr. Mathers:

H. B. 184. An act declaring buzzards a nuisance and providing for the killing of them and offering a reward.

To Committee on Agriculture.

By Mr. Ryan:

H. B. 185. An act designating the twelfth day of February of each year a legal holiday, to be known as "Lincoln Day."

To Committee on Kentucky Statutes.

By Mr. Murphy:

H. B. 186. An act authorizing boards of education in cities of the first and second class to create a fund for protection against fire and other casualties and regulating its investment and use.

To Committee on Municipalities.

By Mr. Duffy:

H. B. 187. An act providing for the working of prisoners who are confined in the prisons on State highways and bridges constructed by the Department of Public Roads; providing for the setting apart of a fund from the State Road Fund, to be used by the Department of Public Roads in building State roads and bridges with convict labor, and to enable said Highway Department to work said prisoners in the mining, quarrying and manufacturing and preparation of material for building roads and bridges; providing aid and assistance to the Commissioner of Public Roads in the construction of State roads with convict labor and otherwise; providing for the assignment of prisoners to do State road work, and for their supervision and management while so engaged; providing a method of payment for the roads so constructed out of the State Road Fund, and authorizing the Board of Prison Commissioners to provide means of employment for convicts while not engaged in working on public roads and bridges, and in the manufacturing, quarrying, mining and preparation of road material; providing that the Board of Prison Commissioners may lease farms on which to work convicts, and providing compensation for all prisoners that may work under the supervision of the Board of Prison Commissioners.

To Committee on State Prisons and Houses of Reform.

By Same:

H. B. 188. An act to amend and re-enact section 2 of chapter 70 of the Acts of the General Assembly of 1914, which relates to the parole of prisoners confined in the State penal institutions.

To Committee on State Prisons and Houses of Reform.

By Same:

H. B. 189. An act to repeal and re-enact chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony or misdemeanor.

To Committee on State Prisons and Houses of Reform.

By Same:

H. B. 190. An act to prevent any person interfering with the work of convicts outside of the walls of the penitentiary, and prohibiting any person from giving or furnishing to any such convict opium, cocaine, intoxicating liquors, any narcotic of any kind whatever, fire arms, weapons or explosives.

To Committee on State Prisons and Houses of Reform.

By Mr. Ampler:

H. B. 191. An act to amend section 3 of an act entitled "An act relating to consolidated corporations organized under general laws for the purpose of constructing,

maintaining, and operating bridges across rivers forming boundary lines of this Commonwealth and declaring an emergency."

To Committee on Municipalities.

By Mr. Smith:

H. B. 192. An act to require distillers to give bond for payment of withdrawal tax.

To Committee on Revenue and Taxation.

By Mr. Kauffman:

H. B. 193. An act to amend an act entitled "An act concerning the State Inspector and Examiner." Approved January 13, 1893.

To Committee on Kentucky Statutes.

By Mr. Radcliffe:

H. B. 194. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

To Committee on Judiciary.

By Mr. Lyon:

H. B. 195. An act to prevent officers of the State, and county or municipality being interested in any contract with

the State, county or municipality, and providing penalty for its infraction.

By Mr. Young:

H. B. 196. An act to repeal section 6 of chapter 62, Acts 1908, entitled "An act to amend an act approved March the 21st, 1906, entitled 'An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal Executive Council, which shall determine the requirements for admission and graduation and the course of study for said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance.'"

To Committee on Appropriations.

By Mr. Purnell:

H. B. 197. An act to establish a standard system of text books in the common schools of Kentucky.

To Committee on Education.

By Mr. White:

H. B. 198. An act to amend and re-enact section 1944a, chapter 57, Kentucky Statutes, Carroll's edition, 1915, concerning rabbits and squirrels. Act of March 18th, 1904.

To Committee on Fish and Game.

By Mr. Greene:

H. B. 199. An act relating to the public safety by regu-

lating places of amusement; providing for the powers and duties of the Fire Marshal in the enforcement thereof; and fixing penalties for violation.

To Committee on Insurance, Fire and Marine.

By Mr. Hobbs:

H. B. 200. An act to amend an act to make it unlawful to present plays in this Commonwealth that are based upon antagonism alleged formerly to exist between master and slave or that excite race prejudice, and to provide a penalty therefor, being chapter 59 of the Acts of 1906, and being section 1376c of the present Kentucky Statutes.

To Committee on Criminal Law.

By Mr. Wall:

H. B. 201. An act to provide for the teaching of the subject of elementary agriculture in the common schools of the State of Kentucky, and to require teachers to be examined on the subject of elementary agriculture.

To Committee on Education.

By Mr. Hutchcraft:

H. B. 202. An act to prevent the employment of private guards and gunmen and fixing the penalty for so doing, as well as preventing anyone acting in the capacity of guard or gunman and fixing the penalty for so acting.

To Committee on Criminal Law.

By Same:

H. B. 203. An act to govern public schools of cities of the fourth class.

To Committee on Cities of the Fourth Class.

By Mr. Stone:

H. B. 204. An act to repeal an act entitled "An act relating to the equipping and regulation of hotel and restaurants, defining the same and relating to the inspection thereof, providing for penalties for violations of the provisions of the act.

To Committee on Kentucky Statutes.

By Same:

H. B. 205. An act requiring the semi-monthly payment of employees.

To Committee on Corporate Institutions.

By Mr. Radcliffe:

H. B. 206. An act to amend section 1306 of the Kentucky Statutes (Carroll's edition, 1915), entitled "An act to amend an act, entitled 'Crimes and Punishments,'" which became a law on the 10th day of April, 1893.

To Committee on Criminal Law.

By Mr. Pumphrey:

H. B. 207. An act to regulate liability of common carriers upon "Intra State" shipments.

To Committee on Railroads.

By Mr. Hutchcraft:

H. B. 208. An act to amend and re-enact section 364, Kentucky Statutes, relating to the allowance to pauper idiots.

To Committee on Kentucky Statutes.

A message was received from the Governor announcing that Sherman Goodpaster had qualified as Treasurer for the State of Kentucky by taking the oath of office and executing bond as prescribed by the Constitution and laws of this Commonwealth.

Said oath and bond of said Treasurer Goodpaster are in words and figures as follows, viz.:

I, Shackelford Miller, Chief Justice of the Court of Appeals of Kentucky, do certify that on this day, Sherman Goodpaster, personally appeared before me and took the oaths, prescribed by the Constitution and laws of this Commonwealth, as Treasurer for the State of Kentucky.

Witness my hand this January 3, 1916.

(Signed) SHACKELFORD MILLER,
Chief Justice of the Court
of Appeals of Kentucky.

STATE OF KENTUCKY.

BOND OF STATE TREASURER.

Know All Men by These Presents: That Sherman Goodpaster, as Principal, and the National Surety Company, a corporation created and organized under the law of the State of New York, and having its principal place of business in the city of New York, in said State, and qualified and

authorized under the law of Kentucky to become surety on bonds of public officials and others in Kentucky, as surety, hereby covenant with the Commonwealth of Kentucky, in the sum of

TWO HUNDRED THOUSAND DOLLARS
($200,000.00)

that the said Sherman Goodpaster, as Treasurer of the State of Kentucky, thereto elected for the term of four years beginning January 3rd, 1916, will faithfully perform and discharge all of the duties of said office as required by law.

In Testimony Whereof, Witness the signature of said Sherman Goodpaster, and the signature and corporate seal of said National Surety Company, this 23rd day of December.

(Signed) SHERMAN GOODPASTER,
National Surety Company.
By (Signed) J. MORTON MORRIS,
Attorney-in-Fact.

Approved December 27th, 1915.
(Signed) A. O. STANLEY,
Governor.

NATIONAL SURETY COMPANY, OF NEW YORK.
Financial Statement, December 31st, 1914.
Wm. B. Joyce, President. Hubert J. Hewitt, Secretary.

ASSETS.

Cash in banks and offices	$ 830,566.89
Government, municipal and other bonds and stocks	5,432,304.10
Real estate, mortgages and collateral loans	140,880.88
Unpaid premiums (excluding premiums 90 days overdue)	583,102.87
Accrued interest and accounts receivable	449,820.26
Total	$7,436,675.00

LIABILITIES.

Unearned premium reserve	$1,915,193.77
Reserve for contingent claims (less reinsurance)	1,204,387.65
Contingent reserve for loss expense	67,813.56
Anticipated taxes (due 1915) and unpaid commissions (not due)	188,825.60
Accounts payable (not due)	98,499.16
Dividend declared (paid Jan. 2d, 1915)	60,000.00
Capital stock	2,000,000.00
Reserve fund	401,955.26
Surplus	1,500,000.00
Total	$7,436,675.00

In computing this surplus no deduction is made on account of so called "special" deposits made under the laws of the various states, etc., the net amounts being $25,424.95.

STATE OF KENTUCKY, }
COUNTY OF JEFFERSON } ss.

J. Morton Morris, being duly sworn, says: That he is Resident Assistant Secretary of the National Surety Company; that said company is a corporation duly organized, existing, and engaged in business as a surety by virtue of the laws of the State of New York, and has duly complied with all the requirements of the laws of said State and of the laws of the State of Kentucky, applicable to said company, and is duly qualified to act as surety under such laws; that said company has also complied with and is duly qualified to act as surety under the Act of August 13, 1894, entitled "An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon," as amended by the Act of Congress of March 25, 1910. That the foregoing is a full, true and cor-

rect statement of the financial condition of said company on the 31st day of December, 1914.

(Signed) J. MORTON MORRIS,

Sworn to before me this 23rd day of December, 1915.

(Signed) E. B. KERR,

Notary Public, Jefferson County, Ky.

My commission expires January 13, 1918.

Know All Men by These Presents: That the National Surety Company, a New York corporation, having its principal office in the city, county and State of New York, doth hereby make, constitute and appoint J. Morton Morris, of Louisville, of the State of Kentucky, its true and lawful Attorney-in-Fact, with full power and authority to sign, execute, acknowledge and deliver in its name, place and stead, as surety, bonds, undertakings and writings obligatory in the nature thereof, and when said bonds, undertakings and writings obligatory and signed by the said J. Morton Morris as such Attorney-in-Fact to bind the company as fully and to the same extent as if the same were signed by the President of the Company, sealed with its common seal, and duly attested by its Secretary, and the said company hereby ratifies and confirms all the acts of said Attorney-in-Fact done pursuant to the power and authority herein given.

This Power of Attorney is made and executed in accordance with and by authority of a certain by-law adopted by the Board of Directors of the National Surety Company at a meeting duly called and held on the second day of February, 1909, which reads as follows:

"Article III. Resident Officers and Attorneys-in-Fact:

"Section 1. The President, First Vice-President or any other Vice-President may from time to time appoint

Resident Vice-Presidents, Resident Assistant-Secretaries and Attorneys-in-Fact, to represent and act for and on behalf of the company, and either the President, First Vice-President, or any other Vice-President, the Board of Directors or the Executive Committee may at any time remove any such Resident Vice-President, Resident Assistant-Secretary or Attorney-in-Fact and revoke the power and authority given him.

"Section 4. Attorneys-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company, any and all bonds, recognizances, contracts of indemnity and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the company as if signed by the President and sealed and attested by the Secretary."

And, at a meeting of the Board of Directors of the National Surety Company, duly called and held on the seventh day of March, A. D. 1912, a quorum being present, the following additional section to the foregoing by-laws was adopted:

"Section 6. Attorneys-in-Fact.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances or contracts of indemnity, policies of insurance and all other writings obligatory in the nature thereof, and are also authorized and empowered to certify a copy of any by-law contained in Articles VI, XII and XIII of the by-laws of the company."

In Witness Whereof, the National Surety Company has caused these presents to be signed by its First Vice-Presi-

dent, and its corporate seal to be hereto affixed, duly attested by its Assistant Secretary, this 22d day of May, A. D. 1912.

National Surety Company,
By WILLIAM J. GRIFFIN,
First Vice-President.

(Corporate Seal)

Attest: WM. I. HAWKS,
Assistant Secretary.

STATE OF NEW YORK, }
COUNTY OF NEW YORK } ss.

On this 22d day of May, A. D. 1912, before me personally came William J. Griffin, to me known, who being by me duly sworn, did depose and say, that he resides in the City of New York; that he is the First Vice-President of the National Surety Company, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

ETTA B. GEWECKE,
Notary Public for Kings County, No. 35.

(Notarial Seal)

Certificate filed in New York County, No. 21 Queens, Richmond, Westchester and Nassau Counties, Kings County Register's Office No. 3952; New York County Register's Office No. 4090.

My commission expires March 30, 1914.

STATE OF NEW YORK }
COUNTY OF NEW YORK, } ss.

I, Wm. I. Hawks, Assistant Secretary of the National

Surety Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said National Surety Company, on the 22nd day of May, A. D. 1912, which is still in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said company, at the city of New York, this 9th day of February, A. D. 1915.

(Signed) W. I. HAWKS,
Assistant Secretary.

Mr. L. Meriwether Smith moved that said bond and all the papers attached and pertaining thereto be received by this House and filed by the Clerk.

Said motion was agreed to.

Mr. Meyers moved that this House adjourn immediately after the conclusion of the Joint Session of the Senate and House to be held at 12 o'clock M., until tomorrow morning at 10 o'clock.

Said motion was agreed to.

Mr. Meyers moved that the vote by which said motion was agreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Crowe offered the following resolution, viz.:

Be it resolved by the House of Representatives, that when any bill or resolution involving the appropriation of money is referred to any committee other than the Committee on Appropriations, the chairman of the committee to which said bill or resolution is referred is directed to, as

soon as practicable, report to the chairman of the Committee on Appropriations the amount involved or contemplated by such bill or resolution.

Said resolution was adopted.

The hour of twelve o'clock, Meridian, having arrived, the hour for the joint order of the day, in accordance with the concurrent resolution adopted on Friday, January 14, 1916, viz.:

S. Res. 6. Invitation to Mrs. Beatrice Forbes-Robertson Hale to address the General Assembly.

The Senate of Kentucky in order entered upon and took seats on the floor of the House of Representatives for the purpose of the execution of said joint order.

At the close of the address delivered by the said Mrs. Beatrice Forbes-Robertson Hale the Senate retired and the Speaker of the House resumed the chair, and the House was in order.

The House then adjourned until tomorrow morning at 10 o'clock.

WEDNESDAY, JANUARY 19, 1916.

The House was opened with prayer by the Rev. T. W. Watts, Pastor of the Methodist Church, of Frankfort, Ky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Duncan called up from the Clerk's desk a resolution of the following title, viz.:

S. Res. 4. Resolution relating to joint rules.

Said resolution reads as follows, viz.:

Resolved by the Senate, the House of Representatives concurring therein, that in the absence of rules to govern joint sessions of the two houses, the joint rules governing the General Assembly of 1914 apply until the adoption of joint rules.

Said resolution was concurred in.

Mr. Jackson offered the following memorial, which was read to the House, viz.:

At a meeting of the members of the Salyersville Bar, held in the Court House at Salyersville, Magoffin County, Kentucky, upon the 15th day of January, 1916, the undersigned members being present, J. W. Howard was elected President, and W. R. Prater, Secretary, and the following resolutions were unanimously adopted as the will of the bar:

Whereas, there is now pending before both branches of the Kentucky Legislature, a bill for the creation of the 37th Judicial District, which proposes to remove Magoffin County from the 31st Judicial District; and

Whereas, the passage of such bill would impose a heavy burden upon the taxpayers of Kentucky, uncalled for by social, moral or business necessity, and contrary to the provision of the Constitution setting out the minimum of population per district, and also contrary to the economic policies of every political party of the State; and

Whereas, there is an overwhelming sentiment in Magoffin county against such legislation and especially the removal of Magoffin from the 31st Judicial District, arising from the fact that for the first time since the creation of the 31st Judicial District, the people of that district are assured a safe, sane and useful administration, and that the creation of this new district, fostered as it is by disappointed politicians, would be regarded by the people as a moral calamity. Now, therefore, be it resolved,

(1) That the Salyersville Bar earnestly protest against the passage of this act, and call upon the Governor and our Representatives to use their influence to prevent this violation of the Constitution and infringement upon the rights of our people;

(2) That the original signed copy of this resolution be forwarded to Governor A. O. Stanley, and a copy, attested by the President and Secretary of the Association, be sent to Senator Thos. Combs and Representative R. B. Jackson, to be presented, by them, to their respective House as a memorial against the passage of the above bill.

This Jan. 15, 1916.

A true copy:

J. W. HOWARD,
President.
W. R. PRATER,
Secretary.

D. D. SUBLETT,
D. CLEM SUBLETT,
J. W. HOWARD,
E. W. PENDLETON,
M. F. PATRICK,
R. D. SUBLETT,
W. R. PRATER,
N. P. HOWARD,
B. J. ELAM,
W. P. ADAMS,
SAM J. PATRICK,
W. W. COOPER, Atty.,
RALPH COOPER, Atty.,
A. H. ADAMS,
DR. WALLIS BAILEY.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Ryan:

H. B. 209. An act relating to the publication of registration lists and providing punishment for violation thereof.

To Committee on Public Utilities.

By Same:

H. B. 210. An act relating to registration certificates and providing punishment for violation thereof.

To Committee on Public Utilities.

By Same:

H. B. 211. An act to amend section 1467, Kentucky Statutes, Carroll's edition, 1909.

To Committee on Kentucky Statutes.

By Mr. Gearheart:

H. B. 212. An act to amend section 4399 of Kentucky Statutes.

To Committee on Education.

By Mr. Coleman:

H. B. 213. An act regulating the width of tires, and the limit of load that may be hauled over any turnpike or gravel road.

To Committee on Public Roads and Highways.

By Same:

H. B. 214. An act to amend the Constitution of the Commonwealth of Kentucky to permit counties to increase their tax levy for road purposes; and permitting counties to vote bonds for road purposes with a majority vote.

To Committee on Constitutional Amendments.

By Mr. Brown:

H. B. 215. An act to amend and re-enact section 1904, Kentucky Statutes, Carroll's edition, 1915, relating to fish.

To Committee on Kentucky Statutes.

By Mr. Tartar:

H. B. 216. An act to provide a license tax on distilled spirituous liquors and malt liquors manufactured in this Commonwealth.

To Committee on Alcoholic Liquor Traffic.

By Mr. Hamilton:

H. B. 217. An act to make an appropriation to defray the expenses of inaugural ceremonies.

To Committee on Appropriations.

By Mr. Lyon:

H. B. 218. An act to fix the amount of license tax for

selling spirituous, vinous and malt liquors by retail, and for selling cigarettes or cigarette papers by retail.

To Committee on Revenue and Taxation.

By Mr. Trivette:

H. B. 219. An act to amend section 1599b-1 and section 1599c-1, chapter 42b, Kentucky Statutes, Carroll's edition, 1915.

To Committee on Public Utilities.

By Mr. Brashear:

H. B. 220. An act for the taxing of dogs.

To Committee on Agriculture.

By Mr. Perry:

H. B. 221. An act relating to the election, terms, qualification, salaries and duties of commissioners to constitute the fiscal court in counties having cities of the first class and providing for clerks and for payment of salaries and expenses, also providing penalties for failure to perform duties.

To Committee on Municipalities.

By Mr. Wood:

H. B. 222. An act to amend and re-enact section 4692, Kentucky Statutes, edition 1915, relating to State depositories.

To Committee on Kentucky Statutes.

By Mr. Crowe:

H. B. 223. An act to amend section 1594, Kentucky Statutes, prepared by John D. Carroll, 1903 edition.

To Committee on Kentucky Statutes.

By Mr. Bailey:

H. B. 224. An act to prohibit what are commonly called "Popularity Contests," and to provide a penalty therefor.

To Committee on Public Utilities.

By Same:

H. B. 225. An act to repeal paragraph 24 of section 1954c of Carroll's 1915 edition of the Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Radcliffe:

H. B. 226. An act providing for the securing of a separate farm for a House of Reform for Girls, and providing for the management thereof.

To Committee on Juvenile Courts and Children's Home.

By Mr. Tabor:

H. B. 227. An act compelling property owners, adjoining county turnpikes, to keep ditches open and free from weeds and rubbish.

To Committee on Public Roads and Highways.

By Mr. Young:

H. B. 228. An act to amend section two of an act entitled: "An act to amend an act approved March the 21st, 1906, entitled: 'An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal Executive Council which shall determine the requirements for admission and graduation and the courses of study for said schools; to create a commission, which shall determine the location of said schools, and to appropriate funds for their maintenance,' " approved March 24, 1908.

To Committee on State University and Normal Schools.

By Mr. Hobbs:

H. B. 229. An act to amend section 2029b, relating to Houses of Reform.

To Committee on Charitable Institutions.

By Mr. Dowling:

H. B. 230. An act to amend and re-enact sections 2059, 2060 and 2058, chapter 63 of the Kentucky Statutes, Carroll's editions of 1903 and 1915, relating to the State Board of Health.

To Committee on Kentucky Statutes.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, JANUARY 20, 1916.

The House was opened with prayer by the Rev. T. W. Watts, Pastor of the Methodist Church, of Frankfort, Ky.

The reading of the Journal of yesterday's proceedings was dispensed with.

The Speaker laid before the House the following communication in writing, viz.:

Frankfort, Ky., Jan. 18, 1916.

To the General Assembly of Kentucky:

Frankfort Lodge No. 530, B. P. O. Elks, extend their best wishes for the New Year and invite all members of the Legislature and adult attaches thereof to take advantage of the privileges of our club during the present session.

CHAS. J. HOWES,
Exalted Ruler.

HIRAM WILLIAMS,
Secretary.
By order of the Lodge.

Mr. Hobbs moved that this House grant an indefinite leave of absence for Mr. H. J. Meyers.

Said motion was agreed to.

Mr. Greene offered the following resolution, viz.:

Be it resolved by the House of Representatives of Kentucky:

That, on and after this date the chairman of each stand-

ing committee report to the Sergeant-at-Arms of the House each day the place and hour of convening of such committee as he may be chairman of, and the said Sergeant-at-Arms is directed to immediately write same on blackboard in front of House Chamber.

Said resolution was adopted.

Mr. R. C. Tartar announced to the House that he and Mr. F. C. Greene were paired for two days, viz.: January 21st and January 22nd.

Mr. Dorman offered the following resolution, viz.:

Whereas, during the last three weeks of the General Assembly there is always a rush of bills and business; and

Whereas, the introduction of new bills at the last of the session interferes with successful and rapid legislation; and

Whereas, during the last ten days of the session all bills are controlled by and in the hands of the Rules Committee. Therefore,

Be it resolved by the House of Representatives, that no new bills shall be introduced in this House during the last twenty days of the session, except such as are of vast importance, and have the approval of the Governor; and

Be it further resolved, that for the successful operation of this resolution, and for the purpose of deriving the greatest benefit therefrom, the regular rules be suspended for the said period of twenty days and the time set apart for the introduction of bills be devoted to the orders of the day.

Mr. Oliver moved that said resolution be laid on the table.

Said motion was agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Cropper:

H. B. 231. An act to authorize any corporation heretofore or hereafter chartered under or by virtue of the laws of the Commonwealth of Kentucky, or of any other State, to lease, sell, convey and transfer a part or the whole of its property and franchises of every kind, and to authorize any such corporation, authorized to engage in the same general business in this State; to acquire by lease, purchase, conveyance, or transfer, any such property and franchise, or any part thereof; and to provide a method for compensating any dissenting stockholder of any such selling corporation.

To Committee on Corporate Institutions.

By Same:

H. B. 232. An act to amend section 201 of the Constitution of the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Jackson:

H. B. 233. An act to repeal an act entitled "An act to establish a Bureau of Vital Statistics and to provide for the immediate registration of all births and deaths throughout

the State of Kentucky by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Bureau of Vital Statistics, as required to be established by the State Board of Health; to provide for the reporting of morbidity statistics; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, and providing certain penalties."

To Committee on Kentucky Statutes.

By Mr. Greene:

H. B. 234. An act to require street car companies and others operating street cars upon the streets of any city or town of this Commonwealth, to furnish separate cars, or divisions of cars, or other suitable provisions for the separation of white and colored passengers, and providing punishment for violations thereof.

To Committee on Public Utilities.

By Same:

H. B. 235. Amendment to life insurance laws by repeal of section 659, Kentucky Statutes, being section 4382 of Russell's Statutes of Kentucky, and substituting another section therefor.

To Committee on Insurance, Life and Accident.

By Mr. Hobbs (By Request):

H. B. 236. An act to amend and re-enact section 1309, Kentucky Statutes, relating to carrying concealed deadly weapons.

To Committee on Criminal Law.

By Same (By Request):

H. B. 237. An act to amend and re-enact section 3095, Kentucky Statutes, relating to the condemnation of property by cities of the second class.

To Committee on Municipalities.

By Mr. Cooper:

H. B. 238. An act to amend section 1847 of the Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Bailey:

H. B. 239. An act concerning the employees and servants in railroad work or industry in this Commonwealth.

To Committee on Railroads.

By Same:

H. B. 240. An act to repeal an act entitled "An act to promote the sheep industry and provide a tax on dogs," which became a law on March 1st, 1906, and which act is section 68a of Carroll's 1915 edition of the Kentucky Statutes.

To Committee on Agriculture.

By Mr. Spahn:

H. B. 241. An act repealing sections 4217-4217a of Kentucky Statutes, and requiring permits for certain kinds of merchants; defining temporary and transient merchants and providing for licensing same; regulating the advertising, representations and business of such merchants and prescribing penalties for failure to comply with the provisions of this act.

To Committee on Municipalities.

By Mr. Dorman:

H. B. 242. An act for the protection of game birds and game animals.

To Committee on Fish and Game.

By Mr. W. M. Webb:

H. B. 243. An act to regulate the shipment of intoxicating liquors into local option territory, and prohibiting any person from receiving in excess of a certain quantity of such liquors in said territory, and prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

To Committee on Alcoholic Liquor Traffic.

By Mr. Price:

H. B. 244. An act consolidating the offices of jailor and sheriff in all counties of the Commonwealth other than the counties of Bourbon, Boyd, Boyle, Campbell, Christian, Clark, Daviess, Fayette, Franklin, Graves, Henderson, Jefferson, Kenton, Madison, Mason, McCracken, Scott, Shelby, Warren and Woodford; providing for the performance of

the duties of jailor by the sheriff in such counties and fixing his compensation.

To Committee on Public Offices.

By Same:

H. B. 245. An act to amend an act entitled "An act relating to fees," approved June 15, 1893.

To Committee on Kentucky Statutes.

By Mr. Wilson:

H. B. 246. An act to amend section 1409, chapter 40, Kentucky Statutes, Carroll's 1915 edition.

To Committee on Criminal Law.

By Mr. Johnson:

H. B. 247. An act to amend and re-enact section 3637 of the Kentucky Statutes, Carroll's edition, being a part of article VI. of an Act of July 3rd, 1893, entitled "Municipal Corporations, Cities of the Fifth Class," so as to permit the council of such cities through its mayor, to sell, convey and transfer to the United States Government water front, or a portion thereof, when needed to improve navigation.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Schneider:

H. B. 248. A law to regulate the division of coal, and payment for same, where an operator or company is leasing

coal lands from different parties on royalty basis, and mining, loading and mixing coal mined from all lands so leased.

To Committee on Mines and Mining.

By Mr. Young:

H. B. 249. An act to amend and re-enact sub-section 4 of section 1277a, Kentucky Statutes, edition 1915, relating to penalties for the use of cigarettes.

To Committee on Kentucky Statutes.

By Same:

H. B. 250. An act authorizing the Commonwealth of Kentucky to pay the indebtedness created against the property of the Western Normal School by the provision of section 4535c, Kentucky Statutes, and authorizing the Board of Regents of said school to pay a part of said indebtedness out of the annual appropriation made for the support of said school and appropriating money for said purpose.

To Committee on Appropriations.

By Mr. Hutchcraft:

H. B. 251. An act relating to trading stamps, coupons, tickets, certificates, cards and other similar written or printed premium devices, by whatever name called, to be used in connection with the sale of goods, wares or merchandise, or other articles or thing of value, or in connection with work, labor or services rendered for value; and providing penalties for violations of its provisions.

To Committee on Revenue and Taxation.

By Same:

H. B. 252. An act amending an act entitled "An act for the protection of game and fish."

To Committee on Fish and Game.

The committee to which the same had been referred reported resolution of the following title, viz.:

By Mr. Minor, of the Committee on Appropriations.

H. Res. 4. Resolution to provide the members of the Senate and House and the President of the Senate and Speaker of the House, with copies of the Kentucky Statutes and Codes of Practice.

(For said resolution see House Journal of January 12th, 1916.)

With an amendment thereto by way of a substitute therefor.

With the expression of opinion that said amendment by way of substitute ought to pass.

Said amendment reads as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

(1) That the State Librarian be and he is hereby authorized and instructed to purchase for the use of the General Assembly, 10 copies of the latest edition of the Kentucky Statutes and 6 copies of the Kentucky Codes; 6 copies of said Kentucky Statutes and 3 copies of the Codes to be for the

use of the House of Representatives, and 4 copies of said Kentucky Statutes and 3 copies of the Codes to be for the use of the Senate, all of said books to be and remain the property of the Commonwealth of Kentucky.

(2) A sum sufficient to pay for said 10 copies of the latest edition of the Kentucky Statutes and said 6 copies of the Codes is hereby appropriated for that purpose out of any funds in the State Treasury not otherwise appropriated.

(3) An emergency is hereby declared to exist and this resolution shall become effective upon its passage and approval.

Mr. Spahn moved that said amendment to said resolution by way of substitute therefor be adopted.

Said motion was agreed to.

Said amendment to said resolution by way of substitute therefor was then adopted.

The yeas and nays being taken on the adoption of said resolution as amended, by way of substitute therefor, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	S. B. Coleman	J. M. Elliston
Peter Ampler	W. P. Cropper	L. L. Embrey
H. F. S. Bailey	James S. Cruse	T. T. Gardner
Chas. D. Bratcher	H. C. Cummins	Wm. Gearheart
Frank J. Brown	Jas. R. Dorman	W. G. Gooch
W. H. Brown	William Duffy	Frank C. Greene
E. Bullock	Odie Duncan	C. H. Grimes
A. S. Cooper	J. R. Durham	J. S. Hall

L. B. Hamilton	John T. Murphy	Claude B. Smith
W. C. G. Hobbs	B. F. McAtee	John W. Snider
A. B. Holland	E. B. McGlone	Adam Spahn
David J. Howard	C. B. Nichols	Bannie Tabor
J. M. Howell	S. Mazyck O'Brien	R. C. Tartar
Chas. L. Hunter	A. J. Oliver	Robt. R. Treadway
R.B.Hutchcraft,Jr.	William A. Perry	F. C. Trivette
R. B. Jackson	Geo. L. Pickett	D. B. Tyra
J. M. Johnson	A. B. Pieratt	J. Wood Vance
T. R. Jones	W. A. Price	J. W. Wall
W. T. Lasley	J. D. Pumphrey	John S. Webb
M. E. Lee	D. S. Richardson	W. M. Webb
Dr. J. E. Lilly	John T. Roach	M. O. Wilson
Dr. C. W. Mathers	Lewis Ryans	E. S. Wood
Jacob Metzger	Joe Schneider	Louis E. Yewell
Claude D. Minor	L. M. Smith	E. G. Young
G. B. Moores	E. D. Smith	—74

Those who voted in the negative were—

C. H. Bays	Wm. J. Kuh	Thomas Spurrier
G. G. Brashear	W. R. Lyon	Ed. D. Stone
W. E. Dowling	W. J. McMurray	Frank M. White
W. B. Harvey	L. T. Neat	J. D. Wills
W. H. Jones	Harry P. Purnell	
H. Clay Kauffman	Richard Radcliffe	—16

And so said resolution as amended by way of substitute therefor, was adopted.

Mr. Nichols, of the Committee on State University and Normal Schools, moved that House Bill 11 which had been referred to said committee, be re-referred to the Committee on Appropriations.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Howard, of the Committee on Criminal Law:

H. B. 46. An act making unlawful the use of any statement of fact in any advertisement, which statement is untrue, deceptive or misleading, and providing a penalty for any violation of this act.

With an amendment thereto.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 32. An act to further regulate and control the construction and reconstruction of streets and sidewalks in cities of the second class in this Commonwealth.

By Same:

H. B. 47. An act to amend part of an act entitled "An act for the government of cities of the first class," approved July first, eighteen hundred and ninety-three, which relates to revenue and taxation, as amended at the regular session of the General Assembly during the year 1910, being section 3002, of the Kentucky Statutes of 1915.

By Same:

H. B. 22. An act authorizing the fiscal court in each county having therein a city of the second class to acquire a law library, and to provide for the maintenance and operation of same.

By Same:

H. B. 56. An act to amend an act entitled "An act for the government of cities of the second class in the Commonwealth of Kentucky," approved March 19, 1894.

By Same:

H. B. 49. An act to amend the Kentucky Statutes, chapter 89, section 2928a, by adding thereto section 2928b, creating the office of Court Matron for the Police Court of Cities of the First Class, and prescribing her rights, duties and compensation.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

And the House adjourned.

FRIDAY, JANUARY 21, 1916.

The House was opened with prayer by the Rev. T. W. Watts, Pastor of the Methodist Church of Frankfort, Kentucky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Stone offered the following resolution, viz.:

Resolution providing for the appointment of a commit-

tee from the House of Representatives to investigate the State annual appropriations.

In view of the fact that the State's annual appropriations consist of a large sum of money, and that this body representing the people of this State, should know the amount, and the benefit that is derived from such appropriations; Therefore, be it resolved by the House of Representatives, that a committee of three be appointed from this body to prepare a budget system of the State's annual appropriations, and present same to this body for their consideration.

Ordered that said resolution be referred to the Committee on Appropriations.

A message was received from the Senate announcing that they had adopted a joint resolution of the following title, viz.:

S. Res. 7. A resolution inviting the President to address the members of the present General Assembly.

Said resolution reads as follows, viz.:

A resolution inviting the President to address the members of the present General Assembly.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That an invitation be extended to President Woodrow Wilson to visit Frankfort and address the members of the present General Assembly at such time as is convenient to him.

Section 2. Be it further resolved, that a committee

consisting of two members of the Senate, to be appointed by the President of the Senate, and three members of the House to be appointed by the Speaker of the House, be appointed to prepare an invitation to the President asking him to deliver an address to the General Assembly, and to conduct such correspondence as may be necessary in an effort to obtain the consent of the President to address the present General Assembly.

Mr. Hobbs moved that the rules be suspended, and that said resolution be concurred in.

Said motion was agreed to.

Said resolution was concurred in.

Mr. Wilson moved that this House grant an indefinite leave of absence for Mr. Metzger.

Said motion was agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Oliver:

H. B. 253. An act to repeal an act entitled "An act qualifying and enabling women to vote for the election of school trustees, and other school officers chosen by the people, except such offices as women may be disqualified from voting for by the Constitution, and upon school measures or questions submitted to a vote of the people and to hold common school offices, except such offices as women are disqualified from holding by the Constitution."

To Committee on Education.

By Mr. Stone:

H. B. 254. An act to amend and re-enact sections 24, 26 and 33 of chapter 35 of the Acts of 1912, an act entitled "An act for the protection of game and fish," and repeal sections 28, 29 and 34 of said act, which was approved March 12, 1912.

To Committee on Fish and Game.

By Mr. Nichols:

H. B. 255. An act appropriating money for the erection of a ward for the white patients at Eastern State Hospital at Lexington, Ky., and erection and repair of wards for colored patients at said hospital and purchase of stokers for power house.

To Committee on Appropriations.

By Mr. Barrett:

H. B. 256. An act to establish an Athletic Board of Control.

To Committee on Municipalities.

By Mr. Ryans:

H. B. 257. An act to amend section 3868 of the Kentucky Statutes relating to priority in the payment of claims against the estate of a decedent.

To Committee on Kentucky Statutes.

By Mr. Pickett:

H. B. 258. An act to repeal an act entitled "An act to regulate proceedings in civil actions in the circuit court," which became a law March 29th, 1902, and to re-enact sections 43, 44, 60, 102, 103, 104, 105, 106, 107, 108, 363, 364, 365, 366 and 367 of the Civil Code of Practice.

To Committee on Codes of Practice.

By Same:

H. B. 259. An act to amend section 737, subsection 1a, of the Civil Code of Practice of Kentucky.

To Committee on Codes of Practice.

By Same:

H. B. 260. An act for the benefit of graded schools under special charters and having an endowment fund.

To Committee on Education.

By Mr. Coleman:

H. B. 261. An act to provide for the construction and reconstruction and maintenance of through main routes of travel.

By Mr. Howard:

H. B. 262. An act in relation to pandering; to define and prohibit the same; to provide for the punishment thereof; for the competency of certain evidence at, and the venue of the trial therefor.

To Committee on Criminal Law.

By Mr. Tyra:

H. B. 263. An act to amend section 2557a of the Kentucky Statutes, 1915 edition, relating to the sale of intoxicating liquors.

To Committee on Alcoholic Liquor Traffic.

By Mr. Murphy:

H. B. 264. An act to provide for the payment of wages at least twice in each calendar month.

To Committee on Railroads.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Pieratt, of the Committee on Cities of the Fourth Class:

H. B. 80. An act to amend and re-enact section 3483, chapter 89, Kentucky Statutes, Carroll's edition, relating to adding or striking off territory of cities of the fourth class, being an Act of June 28, 1893, amended March 22, 1902, and previously amended March 24, 1894, and March 17, 1898.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 61. An act to amend section 3449 of the Kentucky Statutes, the object of which is to amend the statutes of Kentucky so that cities of the third class may pay for construction of streets in installments.

By Same:

H. B. 83. An act creating a State Board of Accountancy; prescribing its powers and duties; providing for examinations and issuing certificates to qualified public accountants, and providing for penalties for violation of the provisions of this act.

By Same:

H. B. 50. An act authorizing the Board of Election Commissioners in counties having cities of the first class to employ assistants, stenographers and clerks to aid in the tabulation of the vote at each election, and authorizing the fiscal court of the county to pay such employes.

By Mr. Vance, of the Committee on Suffrage and Elections:

H. B. 2. An act to promote pure elections, primaries and conventions, and to prevent corrupt practice in the same; to limit the expenses of candidates; to prescribe the duties of candidates and providing penalties and remedies for violations and declaring void, under certain conditions, elections in which these provisions or any of them have been violated.

With an amendment thereto.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 46. An act making unlawful the use of any

statement of fact in any advertisement, which statement is untrue, deceptive or misleading, and providing a penalty for any violation of this act.

With an amendment thereto.

H. B. 32. An act to further regulate and control the construction and reconstruction of streets and sidewalks in cities of the second class in this Commonwealth.

H. B. 47. An act to amend part of an act entitled "An act for the government of cities of the first class," approved July first, eighteen hundred and ninety-three, which relates to revenue and taxation, as amended at the regular session of the General Assembly during the year 1910, being section 3002, of the Kentucky Statutes of 1915.

H. B. 22. An act authorizing the fiscal court in each county having therein a city of the second class to acquire a law library, and to provide for the maintenance and operation of same.

H. B. 56. An act to amend an act entitled "An act for the government of cities of the second class in the Commonwealth of Kentucky," approved March 19, 1894.

H. B. 49. An act to amend the Kentucky Statutes, chapter 89, section 2928a, by adding thereto section 2928b, creating the office of Court Matron for the Police Court of Cities of the First Class, and prescribing her rights and duties and compensation.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles, and ordered to be placed in the orders of the day.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

H. Res. 2. Resolution providing copies of Governor's message for House members and Governor.

Said resolution reads as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the message of the Governor to this House, just read, be printed: That 2,500 copies be presented to the Governor, after five copies have been placed on the desk of each member.

Whereupon all other business was suspended. Said resolution was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution, which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution which originated in the House, and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Spahn moved that when this House adjourn today it be to meet again on Monday, January 24, 1916, at one o'clock P. M.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted a joint resolution originating in that body of the following title, viz.:

S. Res. 8. Resolution inviting Mrs. Cora Wilson Stewart to address the General Assembly.

Said resolution reads as follows, viz.:

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein, that an invitation be and the same is hereby extended to Mrs. Cora Wilson Stewart to address the General Assembly, in Committee of the Whole, on Thursday, February 17th, next, at the hour of 12 o'clock noon.

Mr. Cook moved that the rules be suspended and that said resolution be concurred in.

Said motion was agreed to.

Said resolution was concurred in.

Mr. Nichols moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned to meet again on Monday, January 24, 1916, at one o'clock P. M.

MONDAY, JANUARY 24, 1916.

The House was opened with prayer by the Rev. Rodger T. Nooe, Pastor of the Christian Church, of Frankfort, Ky.

The reading of the Journal of Friday's proceedings, January 21, 1916, was dispensed with.

Mr. Gardner offered the following resolution, viz.:

Whereas, the House of Representatives, now entering upon the fourth week of the present term, and the people are expecting some wholesome legislation for their relief from the burdens of unequal taxation and protection from trust and combinations that control the price of their products and labor; and, Whereas, the expenses of this General Assembly is near $2,000.00 per day;

Therefore, be it resolved, that we will not extend an invitation to any one to address this House during the remainder of this session, but will grant the use of this hall to any reputable person representing a legitimate and honorable purpose when not occupied by this body.

Said resolution was adopted.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Oliver:

H. B. 265. An act to enforce the provisions of section number 197 of the present Constitution of Kentucky, by pro-

hibiting the giving or acceptance of free passes, and the buying of tickets from common carriers at reduced rates not common to the public, and prescribing penalties for violations and providing for filing reports.

To the Committee on Railroads.

By Same:

H. B. 266. An act to prohibit betting on horse racing in Kentucky and providing a penalty therefor.

To the Committee on Racing Commission.

By Same:

H. B. 267. An act for the protection of poultry and birds in this Commonwealth.

To the Committee on Fish and Game.

By Same:

H. B. 268. An act regulating the sale of dynamite, giant powder and other explosives and providing a penalty therefor.

To the Committee on Kentucky Statutes.

By Mr. Tabor:

H. B. 269. An act to require the redemption of script, etc., at face value.

To the Committee on Immigration and Labor.

By Mr. Brashear:

H. B. 270. An act to punish drunk or disorderly persons.

To the Committee on Criminal Law.

By Mr. Thompson:

H. B. 271. An act to amend an act entitled, "An act to provide for the reorganization, maintenance and supervision of common schools in the town of Catlettsburg and vicinity," approved March 18, 1882, by striking from section 14 of said act the words, "to issue bonds and assume indebtedness, not exceeding ten thousand dollars," and inserting in lieu thereof the words, "to issue bonds and assume indebtedness to the extent permitted, and in the manner provided, by sections 157 and 158 of the present Constitution of this State."

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Hamilton:

H. B. 272. An act to prevent the use of Paris green or other poisonous substances on tobacco grown in the Commonwealth of Kentucky.

To the Committee on Agriculture.

By Same:

H. B. 273. An act to amend section 762d of Carroll's Statutes, 1915 edition, being an Act of March 7, 1914, entitled "An act to amend sections 1, 2, 4, 5, 6 and 13 of chapter 5 of the Acts of 1912, entitled, 'An act relating to fire, lightning, hail, windstorm and sprinkler leakage insurance, and to regulate and control the rates of premium thereon and creating a State Insurance Board and defining the powers and duties

of said board,' '' and to further amend said act by enacting subsection 2a providing that certain companies, their agents and representatives, shall furnish the State Insurance Board certain data in their possession affecting insurance risks and rates thereon and fixing a penalty for its violation.

To the Committee on Insurance, Fire and Marine.

By Same:

H. B. 274. An act to refund money to Central and Western State Hospitals, and appropriate money for Institute for Feeble Minded Children, etc.

To the Committee on Appropriations.

By Mr. Roach:

H. B. 275. An act to provide for the erection, organization and maintenance of county high schools jointly by two or more adjacent counties, and to allow pupils to attend high schools in counties other than their own.

To the Committee on Education.

By Mr. Barrett:

H. B. 276. An act to amend section 530, Kentucky Statutes, relating to witnesses, recognized testimony and inquest to be filed in clerk's office.

To the Committee on Kentucky Statutes.

By Same:

H. B. 277. An act to provide a stenographer for the

coroner of counties in the Commonwealth containing a population of two hundred thousand or over.

To the Committee on Municipalities.

By Same:

H. B. 278. An act to provide for the summoning and pay of jurors for the coroner of counties in the Commonwealth having a population of 200,000 or over, and providing a way to compel jurors to obey summons.

To the Committee on Municipalities.

By Mr. Perry:

H. B. 279. An act to amend section 552 of the Kentucky Statutes, being section 13 of an act entitled "An act providing for the creation and regulation of private corporations, which became a law April 5, 1893.

To the Committee on Corporate Institutions.

By Mr. Ryan:

H. B. 280. An act to amend section 2047, chapter 63, Kentucky Statutes, Carroll's edition, 1909, relating to the appointment of the members of the Board of Health.

To the Committee on Public Health.

By Mr. W. M. Webb:

H. B. 281. An act to amend chapter 113, article XI., section 4503 of the Kentucky Statutes, Carroll's edition, 1915.

To the Committee on Education.

By Mr. Price:

H. B. 282. An act relating to claims against the Treasury for traveling expenses.

To the Committee on Sinking Fund.

By Same:

H. B. 283. An act investing the Commissioners of the Sinking Fund of Kentucky with the power of employing and furnishing clerical assistants to the Auditor of Public Accounts, Secretary of State and Treasurer of the Commonwealth, appropriating money for the execution of such power and repealing all laws in conflict herewith.

To the Committee on Appropriations.

By Same:

H. B. 284. An act to repeal and re-enact subsection 1, section 3795, chapter 97, Kentucky Statutes, relating to penitentiaries.

To the Committee on State Prisons and Houses of Reform.

By Same:

H. B. 285. An act to repeal and re-enact subsection 2, of section 217a, chapter 16, Kentucky Statutes, relating to charitable institutions.

To the Committee on Charitable Institutions.

By Same:

H. B. 286. An act to repeal and re-enact section 4239d, relating to revenue and taxation.

To the Committee on Revenue and Taxation.

By Mr. Bays:

H. B. 287. An act to repeal subsection 4, of section 2737, Kentucky Statutes, edition 1915, relating to certificates issued to mine foremen or fire bosses.

To the Committee on Mines and Mining.

By Mr. Tartar:

H. B. 288. An act to regulate the buying and selling of loose leaf tobacco in baskets at auction on the floor of loose leaf tobacco warehouses in this Commonwealth.

To the Committee on Agriculture.

By Mr. L. M. Smith:

H. B. 289. An act to regulate the sale of agriculture and other seeds.

To the Committee on Agriculture.

By Mr. White:

H. B. 290. An act to amend section 1228a, Kentucky Statutes, Carroll's edition 1915, article 3, subdivision 14, and Acts of 1902, chapter 22, relating to trespass.

To the Committee on Agriculture.

By Mr. Harvey:

H. B. 291. An act to amend section 1 of an act entitled "An act relating to revenue and taxation; providing for license taxes on compounded, rectified, adulterated or blended distilled spirits, known and designated as single-stamped spirits and providing penalties for violations of its provisions," approved March 28, 1906, and being section 4114a of Kentucky Statutes, 1915 edition, by John D. Carroll.

To the Committee on Revenue and Taxation.

By Mr. Perry:

H. B. 292. An act to punish the stealing or conversion of gas, natural or artificial.

To the Committee on Public Utilities.

By Mr. Tabor:

H. B. 293. An act imposing a tax on bachelor citizens of the Commonwealth and providing for the expenditure of the revenue so acquired to persons working the public roads under the requirements of section 4308, Carroll's Kentucky Statutes.

To the Committee on Ways and Means.

By Mr. J. S. Webb:

H. B. 294. An act to amend section 1 of an act entitled "An act to authorize under certain conditions, etc."

To the Committee on Kentucky Statutes.

By Same:

H. B. 295. An act to amend section 1 of an act entitled, "An act authorizing corporations organized or empowered to construct, etc."

To the Committee on Kentucky Statutes.

By Mr. Murphy:

H. B. 296. An act to amend and re-enact section 3157, Kentucky Statutes, Carroll's edition, 1915, relating to clerks of the police court in cities of the second class.

To the Committee on Municipalities.

By Mr. Meyers:

H. B. 297. An act to amend section 2261 of chapter 74 of Kentucky Statutes relating to the empaneling and discharge of petit juries.

To the Committee on Kentucky Statutes.

By Mr. Dowling:

H. B. 298. An act regulating trapping and for the protection of fur-bearing animals, and repealing all other laws and parts of laws in conflict with the provisions of this act.

To the Committee on Fish and Game.

By Mr. Radcliffe:

H. B. 299. An act to amend chapter 113, article VIa, Carroll's edition, 1915 (page 133, Act of March 24, 1908), districts, trustees, teachers, taxation.

To the Committee on Education.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 17. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

To the Committee on Railroads.

S. B. 63. An act to amend and re-enact section 359, Kentucky Statutes, relating to claims upon the State Treasury.

To the Committee on Circuit Courts.

Mr. Greene laid before the House the following communications, viz.:

Lawrenceburg, Ky., January 8, 1915.

Mr. George L. Payne,
Frankfort, Ky.

Dear Friend:—The agents' commission law is a good one and we are with you on it. Stick to it until it becomes a law.

Hope to see you soon and want to help in any way I possibly can to put this agents law through.

If this law and a good resident agents law is passed the New York brokers will have to quit cutting our throats with

the excess commissions paid to the Louisville, Covington and Newport agents.

Again let me say: "Stick to this law."

Yours very truly,

R. H. LILLARD & Co., Agts.

By WILKES BOND, Proprietor.

Mr. Dowling moved that the further reading of said communications be dispensed with, and that the same be referred to the Committee on Insurance, Fire and Marine.

The yeas and nays being called for on said motion by Messrs. Greene and Lee, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. Clay Kauffman	C. B. Nichols
C. H. Bays	Wm. J. Kuh	Joe Schneider
R. A. Cook	M. E. Lee	Bannie Tabor
James S. Cruse	Dr. J. E. Lilly	Louis E. Yewell
W. E. Dowling	Jacob Metzger	
T. T. Gardner	W. J. McMurray	—16

Those who voted in the negative were—

W. C. Allen	H. C. Cummins	R. B. Jackson
H. F. S. Bailey	Thomas A. Dover	W. H. Jones
Geo. B. Barrett	William Duffy	W. T. Lasley
Chas. D. Bratcher	Odie Duncan	W. R. Lyon
G. G. Brashear	J. R. Durham	Dr. C. W. Mathers
Frank J. Brown	J. M. Elliston	Harry J. Meyers
W. H. Brown	L. L. Embrey	Claude D. Minor
E. Bullock	Frank C. Greene	G. B. Moores
Glover H. Cary	L. B. Hamilton	John T. Murphy
A. S. Cooper	W. B. Harvey	B. F. McAtee
S. B. Coleman	A. B. Holland	E. B. McGlone
W. P. Cropper	David J. Howard	L. T. Neat
R. T. Crowe	R.B.Hutchcraft,Jr.	S. Mazyck O'Brien

A. J. Oliver	Claude B. Smith	J. W. Wall	
William A. Perry	John W. Snider	John S. Webb	
Geo. L. Pickett	Thomas Spurrier	W. M. Webb	
A. B. Pieratt	Ed. D. Stone	Frank M. White	
W. A. Price	R. C. Tartar	J. D. Wills	
Richard Radcliffe	J. H. Thompson	M. O. Wilson	
John T. Roach	Robt. R. Treadway	E. S. Wood	
Lewis Ryans	F. C. Trivette	E. G. Young	
L. M. Smith	D. B. Tyra		
E. D. Smith	J. Wood Vance		—67

And so said motion was disagreed to.

Said communications were then continued to be read, and are as follows, viz.:

January 12, 1916.

Mr. Henry P. Barret,
Henderson, Ky.

Dear Sir:—We have read with much interest the proposed profit-sharing agency law that your commission has recommended, and wish to thank you for same, and sincerely hope the measure will pass.

Going back over a long period of years, we have made good money for our companies, but not for ourselves; our commissions average slightly under 17%, and with all operating expenses to be deducted, it leaves a very small margin of profit. We cannot understand how any agent can be opposed to your measure, as it is just what we have always wanted.

Again thanking you, we are,

Sincerely,

J. C. Rudd, Son & Co.

Ashland, Ky.

Frank C. Greene,
Chairman Insurance Committee,
Frankfort, Kentucky.

We strongly approve the entire bill of the Kentucky Fire Insurance Commission and recommend its passage in full.

ASHLAND LEATHER CO.

Louisville, Ky., May 21st, 1915.

Mr. Henry P. Barret, Chairman,
Kentucky Fire Insurance Commission,
Henderson, Ky.

Dear Sir:—Further answering your letter of March 29th, in which you ask suggestions and advice from this Board of Trade in regard to the proposed revision of the insurance laws of Kentucky, &c., you will recall that I advised you in letter dated April 19th, that your letter and the general subject to which it related, had been referred by our Board of Directors to a Special Committee consisting of Messrs. William Heyburn, C. M. Bullitt and Alfred Brandeis, and that these gentlemen were appointed because of their knowledge of the various steps taken to relieve the insurance situation in Kentucky at the time the companies stopped writing in the State.

This committee was requested to consider the whole subject carefully, and to report back their conclusions and suggestions to the Board of Directors.

I write now to advise you that this Special Committee submitted report to the directors at a meeting held on the 19th instant, and after full consideration of the report and

the subject, our board, by a unanimous vote, adopted the report of the Special Committee as the sense of the board, and I was directed to forward you a copy of the report, which I herewith enclose.

The Board of Directors continued the Special Committee in office with authority to confer with you and the Commission of which you are Chairman, if it should be desired, and to be of any service to you that might be in their power.

Very truly yours,

JAMES F. BUCKNER, JR.,
Supt. Louisville Board of Trade.

COPY.

The Committee appointed by the Louisville Board of Trade, consisting of C. Malcolm Bullitt, Alfred Brandeis, Wm. Heyburn, to consider the interests of the business community, as they might be affected by the proposed revision of the Insurance Laws of the State of Kentucky, beg leave to make the following statement and recommendations to the Directors of the Board of Trade:

A Commission is now actively considering what recommendations it shall make to the next Legislature, for changes in the Insurance Laws of the State, the Commission consisting of Mr. Henry P. Barret, selected by the business men; Mr. George L. Payne, selected by the National Board of Fire Underwriters, and Mr. Frank C. Green, selected by the State Insurance Board.

The committee recommend that the Board of Trade advise this commission, that in formulating a new code of insurance laws to be submitted to the Legislature, consideration be given to the following:

GENERAL SUGGESTIONS.

1. Any insurance law should be based on the necessity of an adequate return being provided for the insurance companies for the capital invested and for the service rendered.

2. Buyers of insurance are entitled to fair and reasonable rates, based on minimum expense and a carefully considered average of loss ratios.

3. In view of the excessive fire losses in this country and the desirability of the reduction of same, we recommend that an effort be made in drafting the law to give to the insurance agents and the insured a greater and more direct financial interest in the reduction of the fire waste.

4. The administration of the Insurance Department by the State authorities should be conservative, economical, free from preference, prejudice and self-interest, on the part of public officials appointed to administer the department, and the law should carefully safeguard the public against excessive cost or excessive power in the public officials connected with the department.

5. Taxation of insurance companies by the State adds to the rates, and, necessarily to the cost of insurance, and fullest consideration should be given to the desirability of avoiding an increase in insurance rates by an expensive State Insurance Department.

Without going into details, we would at this time recommend that special consideration be given by the commission to the following:

Special Suggestions.

1. That all rates be made by a Rating Bureau, and would suggest the embodiment of a law on the order of that recently adopted by Iowa, Michigan and Minnesota, covering this point.

2. That the law fix the rate of commission payable to agents; that this compensation be a minimum flat rate, with a contingent commission, giving the agent financial interest in loss experienced on business written by him. This we consider one of the most essential features of a new law, as it

tends to make closer supervision and improvement in the hazards, as well as a reduction in fire loss, and necessarily a reduction in rates throughout the State.

3. We strongly advocate the repeal of the Valued Policy Law, believing that it is against public policy. In lieu thereof, we would suggest that where property is totally destroyed, the assured should have a right to recover only for the actual value at the time of loss, and if it is found that the property is over insured, then the premium paid on the over insurance should be refunded to the assured.

If it is the pleasure of the Directors of the Board of Trade, your committee will be pleased to go into conference with the Insurance Commission and urge them to formulate the new proposed law along these lines.

Respectfully submitted,

Special Insurance Committee,

C. MALCOLM BULLITT,

ALFRED BRANDEIS,

WILLIAM HEYBURN, Chairman.

May 12th, 1915.

January 10, 1916.

Mr. Henry P. Barret, Chairman,
Fire Insurance Commission,
Frankfort, Kentucky.

Dear Sir:—I have just noticed in the press where your commission has agreed to recommend to the State Legislature a bill placing the fire insurance agents of your State upon a contingent compensation basis, and in as much as this question is now receiving the thoughtful consideration of this commission, as well as the insuring public and local agents, we would appreciate it very much if you would forward us a copy of the proposed bill and also a copy of your new Insurance Code, which I understand has been recently prepared by a committee composed of various interests.

Assuring you that if there is any expense attached to furnishing us this information, we will be glad to forward the amount of same, and thanking you in advance for giving this your prompt attention and with the compliments of the season, I beg to remain,

Very truly yours,

A. R. ANDREWS,

Fire Insurance Commissioner.

Mr. Stone moved that this House grant to Mr. Bays an indefinite leave of absence.

Said motion was agreed to.

The committees to which the same had been referred, reported bills of the following titles, viz.:

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 191. An act to amend section 3 of an act entitled "An act relating to consolidated corporations organized under general laws for the purposes of constructing, maintaining, and operating bridges across rivers forming boundary lines of this Commonwealth and declaring an emergency."

By Mr. Pickett, of the Committee on Railroads:

H. B. 140. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

With an amendment thereto.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 80. An act to amend and re-enact section 3483, chapter 89, Kentucky Statutes, Carroll's edition, relating to adding or striking off territory of cities of the fourth class, being an Act of June 28, 1893, amended March 22, 1902, and previously amended March 24, 1894, and March 17, 1898.

H. B. 61. An act to amend section 3449 of the Kentucky Statutes, the object of which is to amend the Statutes of Kentucky so that cities of the third class may pay for construction of streets in installments.

H. B. 83. An act creating a State Board of Accountancy, prescribing its powers and duties, providing for examinations and issuing certificates to qualified public accountants, and providing for penalties for violation of the provisions of this act.

H. B. 50. An act authorizing the Board of Election Commissioners in counties having cities of the first class to employ assistants, stenographers and clerks to aid in the tabulation of the vote at each election, and authorizing the Fiscal Court of the county to pay such employes.

H. B. 2. An act to promote pure elections, primaries and conventions, and to prevent corrupt practice in the same; to limit the expenses of candidates; to prescribe the duties of candidates and providing penalties and remedies for violations and declaring void, under certain conditions,

elections in which these provisions or any of them have been violated.

With an amendment thereto.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles, and ordered to be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 46. An act making unlawful the use of any statement of fact in any advertisement, which statement is untrue, deceptive or misleading, and providing a penalty for any violation of this act.

Together with an amendment proposed thereto by the Committee on Criminal Law.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person, firm, corporation or association, who, with intent to sell or in any wise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or any interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public in this State, in a news-

paper or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, shall be guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not exceeding $500, or imprisoned in the county jail not exceeding ninety days, or both so fined and imprisoned in the discretion of the jury.

The amendment proposed thereto by the committee is as follows, viz.:

Amend House Bill 46 by striking out the numerals "500" and inserting in lieu thereof the numerals "100."

Said amendment was agreed to.

Mr. Radcliffe moved the previous question.

Said motion was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	W. C. G. Hobbs	W. A. Price
Peter Ampler	David J. Howard	J. D. Pumphrey
H. F. S. Bailey	Chas. L. Hunter	Richard Radcliffe
Geo. B. Barrett	R.B.Hutchcraft,Jr.	John T. Roach
Chas. D. Bratcher	R. B. Jackson	Lewis Ryans
G. G. Brashear	W. H. Jones	Joe Schneider
Frank J. Brown	H. Clay Kauffman	L. M. Smith
W. H. Brown	Wm. J. Kuh	E. D. Smith
E. Bullock	W. T. Lasley	Claude B. Smith
Glover H. Cary	M. E. Lee	John W. Snider
R. A. Cook	Dr. J. E. Lilly	Thomas Spurrier
A. S. Cooper	W. R. Lyon	Ed. D. Stone
S. B. Coleman	Dr. C. W. Mathers	Bannie Tabor
W. P. Cropper	Jacob Metzger	R. C. Tartar
R. T. Crowe	Harry J. Meyers	J. H. Thompson
James S. Cruse	Claude D. Minor	F. C. Trivette
H. C. Cummins	G. B. Moores	D. B. Tyra
Thomas A. Dover	John T. Murphy	J. Wood Vance
W. E. Dowling	B. F. McAtee	J. W. Wall
William Duffy	E. B. McGlone	John S. Webb
Odie Duncan	W. J. McMurray	W. M. Webb
J. R. Durham	L. T. Neat	Frank M. White
J. M. Elliston	C. B. Nichols	J. D. Will
L. L. Embrey	S. Mazyck O'Brien	M. O. Wilson
T. T. Gardner	A. J. Oliver	E. S. Wood
C. H. Grimes	William A. Perry	Louis E. Yewell
L. B. Hamilton	Geo. L. Pickett	E. G. Young
W. B. Harvey	A. B. Pieratt	—83

Resolved that the title thereof be as aforesaid.

Mr. Perry moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 32. An act to further regulate and control the construction and reconstruction of streets and sidewalks in cities of the second class in this Commonwealth.

Mr. Meyers moved that said H. B. 32 be recommitted to the Committee on Municipalities.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 47. An act to amend part of an act entitled: "An act for the government of cities of the first class, approved July first, 1893, which relates to revenue and taxation, as amended at the regular session of the General Assembly during the year 1910, being section 3002 of the Kentucky Statutes of 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3002 of the Kentucky Statutes of 1915, being part of an act entitled, "An act for the government of cities of the first class," approved July 1, 1893, which relates to revenue and taxation as amended at the regular session of the General Assembly during the year 1910, be and the same is hereby amended by striking therefrom the last paragraph thereof, which reads as follows:

"Persons under disability, whose lands have been sold for taxes, as herein provided, shall have the same right for the

redemption of such lands, as are given them by law for the redemption of land sold for the payment of taxes due to the State of Kentucky."

And in lieu thereof the following provision is hereby enacted:

Provided, that infants whose lands have been sold for taxes under the provisions of this act, shall have one year after they become of age within which to redeem said lands, and, provided, that the same penalty and interest shall be charged against infants' lands until redeemed, and all other delinquent tax bills with interest and penalties shall be paid upon redemption.

So that said section 3002, as amended, shall read as follows:

Section 3002. If, at any sale for taxes, of real property, no one will bid for or purchase the property offered for sale, at the amount of the taxes, the charges due, and the cost of sale, including the cost of advertising, it shall be the duty of the tax receiver to purchase same for the city, for the amount of the tax due, with interest and penalties, and costs of sale thereon. The owner of the real estate so sold, his heirs, representatives, assigns, shall have the same right to redeem such real estate from the purchaser thereof at any time within two years from the day of sale, as is provided by law in the sale of real estate under execution, by paying to the tax receiver the amount of the purchase price at said sale, with interest thereon at the rate of one per cent. (1%) per month, or fraction thereof, from the day of sale; and in case the land is not redeemed before the first day of April succeeding the sale, by paying a further penalty of five per cent. (5%) upon the purchase price. During the two years allowed for redemption, and until redemption, the land so

sold shall be assessed for subsequent tax levies, in the name of the delinquent owner. During that time, there shall be no sale of the land for the collection of such later tax bills, but the delinquent shall be required to pay said bills, with interest and penalties as above provided, upon the redemption of the land, in addition to the payment of purchase price, with interest and penalties as hereinabove required. All moneys paid in redemption of land sold for city taxes shall be paid to the tax receiver of the city, who shall account for such moneys in the same manner and to the same officer as is required of him in the regular collection of taxes; except that, when the purchaser at a tax sale is not the city, the tax receiver shall pay over to the purchaser upon proper receipt, the amount of the purchrase price, with interest and penalties thereon; but all moneys paid by the delinquent at the time of redemption in discharge of the bills against that land which was assessed subsequently to the tax for which the sale was had, shall be accounted for by the tax receiver as are other tax collections; and it shall be the duty of the tax receiver to promptly notify the purchaser at a tax sale of the redemption of the land purchased by him, by postpaid letter or card. Provided that infants whose lands have been sold for taxes under the provisions of this act, shall have one year after they become of age within which to redeem said lands, and, provided, that the same penalty and interest shall be charged against infants' lands until redeemed, and all other delinquent tax bills with interest and penalties shall be paid upon said redemption.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	L. B. Hamilton	William A. Perry
Peter Ampler	W. B. Harvey	W. A. Price
Geo. B. Barrett	W. C. G. Hobbs	J. D. Pumphrey
Chas. D. Bratcher	David J. Howard	Richard Radcliffe
G. G. Brashear	Chas. L. Hunter	Lewis Ryans
Frank J. Brown	R.B.Hutchcraft,Jr.	Joe Schneider
W. H. Brown	R. B. Jackson	L. M. Smith
Glover H. Cary	W. H. Jones	E. D. Smith
R. A. Cook	H. Clay Kauffman	Claude B. Smith
A. S. Cooper	Wm. J. Kuh	John W. Snider
S. B. Coleman	W. T. Lasley	Ed. D. Stone
W. P. Cropper	W. R. Lyon	Bannie Tabor
R. T. Crowe	Dr. C. W. Mathers	R. C. Tartar
James S. Cruse	Jacob Metzger	Robt. R. Treadway
H. C. Cummins	Claude D. Minor	J. Wood Vance
Thomas A. Dover	G. B. Moores	J. W. Wall
W. E. Dowling	John T. Murphy	John S. Webb
William Duffy	B. F. McAtee	W. M. Webb
Odie Duncan	E. B. McGlone	Frank M. White
J. R. Durham	W. J. McMurray	J. D. Wills
J. M. Elliston	L. T. Neat	M. O. Wilson
L. L. Embrey	C. B. Nichols	E. S. Wood
T. T. Gardner	S. Mazyck O'Brien	Louis E. Yewell
C. H. Grimes	A. J. Oliver	E. G. Young

—72

Those who voted in the negative were—

H. F. S. Bailey	Geo. L. Pickett	John T Roach
Dr. J. E. Lilly	A. B. Pieratt	

—5

Resolved that the title thereof be as aforesaid.

Mr. Perry moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Murphy of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolution of the following title, viz.:

S. Res. 4. Resolution relating to joint rules.

Whereupon, all other business was suspended, said resolution read at length and compared in open House, and was found to be correctly enrolled. Thereupon, the Speaker of the House of Representatives in open session in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Meyers moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 25, 1916.

The House was opened with prayer by the Rev. Rodger T. Nooe, Pastor of the Christian Church, of Frankfort, Ky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Upon a call of the counties and Representative Districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Jackson:

H. B. 300. An act to repeal the third and fourth paragraphs of subsection 3, of section 112, of chapter 8, Carroll's edition, 1909, Kentucky Statutes, creating the offices of second Assistant Attorney General and third Assistant Attorney General.

To the Committee on Public Offices.

By Mr. Stone:

H. B. 301. An act to reduce the compensation of the members of the General Assembly of Kentucky.

To the Committee on Public Offices.

By Mr. McMurray:

H. B. 302. An act to regulate the sale of agricultural seeds, defining same, providing for their inspection, fixing fees, and providing penalties for violation of this act.

To the Committee on Agriculture.

By Same:

H. B. 303. An act defining warehouse receipts and regulating the issue thereof; defining the obligations and rights of warehousemen under their receipts; negotiation and transfer of receipts; fixing penalties for violation; and an interpretation of this act.

To the Committee on Public Warehouses and Granaries.

By Mr. Spurrier:

H. B. 304. An act dividing Kentucky into one hundred legislative districts.

To the Committee on Redistricting, Legislative.

By Same:

H. B. 305. An act dividing Kentucky into thirty-eight senatorial districts.

To committee on Redistricting, Legislative.

By Mr. Bailey:

H. B. 306. An act authorizing the various counties of this Commonwealth to borrow money to defray accrued expenses.

To the Committee on County and City Courts.

By Mr. Dorman:

H. B. 307. An act to amend and re-enact sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes, relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares in cities of the fourth class.

To the Committee on Cities of the Fourth Class.

By Mr. Meyers:

H. B. 308. An act to define as common carriers within this State persons operating certain self-propelling public conveyances.

To the Committee on Municipalities.

By Mr. Purnell:

H. B. 309. An act to provide for collection of delinquent taxes in cities of the fourth class.

To the Committee on Cities of the Fourth Class.

By Mr. White:

H. B. 310. An act to prevent persons from entering upon the lands of another for the purpose of digging ginseng, yellow root, golden seal (yellow puccoon), mayapple or other roots.

To the Committee on Agriculture.

By Mr. Meyers:

H. B. 311. An act to amend section 2276, of chapter 74 of Kentucky Statutes, relating to the pay of petit juries.

To the Committee on Circuit Courts.

By Mr. Greene:

H. B. 312. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto and providing a census of adult illiteracy.

To the Committee on Appropriations.

By Mr. Hobbs (By request):

H. B. 313. An act to amend sections 1486 and 1489 of the Kentucky Statutes, Carroll's edition, 1915, so as to extend the registration of voters to each precinct of all counties containing a city or town of the first, second or third classes.

To the Committee on Suffrage and Elections.

By Mr. Pumphrey:

H. B. 314. An act to provide for liens on monuments, gravestones and cemetery structures in favor of persons or corporations furnishing the same.

To the Committee on Commerce and Manufacturing.

By Same:

H. B. 315. An act to exempt new lines of railroads from taxes for five years.

To the Committee on Railroads.

By Mr. Yewell:

H. B. 316. An act to give the Commissioner of Agriculture, Labor and Statistics the power to properly police the Kentucky State Fair Grounds.

To the Committee on State Fair.

By Mr. Crowe:

H. B. 317. An act appropriating money to erect a congregate dining room and new kitchen and construct a sewage disposal plant at Central State Hospital, Lakeland, Ky.

To the Committee on Appropriations.

By Mr. Duncan:

H. B. 318. An act to amend section 10 of an act entitled "An act to amend an act, entitled 'An act to further regulate elections,' " which became a law March 11, 1898, the

objections of the Governor to the contrary notwithstanding, which became a law October 24, 1900, said section being subsection 10 of section 1596a, Kentucky Statutes, Carroll, 1915.

To the Committee on Suffrage and Elections.

Mr. Radcliffe moved that the privilege be granted to the Hon. M. S. Walton, Jr., Ex-Representative, to enter upon the floor of this House today.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Gardner, of the Committee on Agriculture.

H. B. 20. An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians; to establish a State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 87. An act to provide for the determination of heirship of deceased persons.

By Mr. Lee, of the Committee on Classification of Cities and Towns:

H. B. 114. An act to repeal the charter of the town of Flat Gap, in Johnson county.

Mr. Kauffman moved that House Bill 79, which had been referred to the Committee on Kentucky Statutes, be re-referred to the Committee on Revenue and Taxation.

Said motion was agreed to.

Said House Bill 79 was then referred to the Committee on Revenue and Taxation.

Said bills Nos. 20, 87 and 114 were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 191. An act to amend section 3 of an act entitled "An act relating to consolidated corporations organized under general laws for the purposes of constructing, maintaining, and operating bridges across rivers forming boundary lines of this Commonwealth and declaring an emergency."

H. B. 140. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act; any free pass or free transportation and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

With an amendment thereto.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles, and ordered to be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 22. An act authorizing the fiscal court in each county having therein a city of the second class to acquire a law library and to provide for the maintenance and operation of same.

Together with an amendment thereto proposed by Mr. Price.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the fiscal court in each county having therein a city of the second class may in its discretion acquire, by purchase or otherwise, a law library, which, when so acquired, shall be for the use of the court officers and county officers in said county, and said fiscal court shall be authorized to make such rules and regulations regarding the maintenance and operation of said law library as said court may deem proper, and may provide for the use of said law library by others than the court and county officers, on such terms as said fiscal court may deem advisable and proper.

§ 2. All acts in conflict herewith are hereby repealed.

The amendment proposed thereto by Mr. Price is as follows, viz.:

Amend House Bill 22 by inserting in line 6, after the word "proper" and before the words "and may provide," the following: "and as may be approved by the judge or judges of the circuit court of said county."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen
Peter Ampler
H. F. S. Bailey
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
Henry A. Cannon
Glover H. Cary
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
Bannie Tabor
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
F. C. Trivette
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—88

Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 56. An act to amend an act entitled "An act for the government of cities of the second class in the Commonwealth of Kentucky," approved March 19, 1894.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1 of article VIII. of an act entitled "An act for the government of cities of the second class in the Commonwealth of Kentucky," approved March 19, 1894, being section 3174, Kentucky Statutes, be amended, so that the same as amended, shall read as follows:

(a) That each city shall raise a revenue from ad valorem taxes and from a tax based on income, licenses and franchises, and, to that end, the general council of each city is hereby authorized and empowered to provide, by ordinance, for the assessment of all real and personal estate, within the corporate limits thereof, subject to taxation for State purposes; that lands and improvements thereon shall be separately assessed; that personal estate shall be annually assessed, and real estate quadrennially assessed; that the quadrennial assessment in any year shall constitute and be the assessment of real estate for each of the three years next succeeding such assessment; that improvements on land, erected in any fiscal year other than that in which a quadrennial assessment is made, shall be assessed in such year, which assessment shall be assessment of such improvements for that and each of the years preceding the next following quadrennial assessment, and if such improvements be de-

stroyed in a year other than a quadrennial assessment year, the assessment thereof shall be canceled for that and each of the years preceding the next following quadrennial assessment; and that in each city, the assessment of real estate last made shall be the assessment of such real estate until an assessment thereof shall have been provided for and made under this act.

(b) That each city shall annually levy an ad valorem tax upon all real and personal property, which tax shall be uniform upon all property of the same class and shall not exceed the rate and limit prescribed by statute; may levy a poll tax, not exceeding one dollar and fifty cents, upon each male adult inhabitant thereof; may impose fees on stock used for breeding purposes, on franchises, trades, occupations and professions; may provide for taxation of personal property, tangible and intangible, based on income, licenses or franchises, in lieu of an ad valorem tax thereon; provided, the imposition of an ad valorem tax on such property of any steam railroad, street railway, ferry, bridge, gas, water, heating, telephone, telegraph, electric light, or electric power company, be not omitted; may impose on itinerant vendors, license taxes based on income, fixing for each class thereof, a daily minimum license, exact security for the payment of such taxes, and impose fines and penalties for disobedience of its ordinances; may allow discount, not exceeding two per centum of the amount thereof, for the prompt payment of all or any taxes; and shall provide for the collection of all taxes imposed hereunder.

(c) That the revenue derived from taxes based on income, licenses and franchises in lieu of an ad valorem tax, shall be paid at such time in the fiscal year as may be fixed by ordinance, and shall be apportioned and distributed for the same purposes as the revenue derived from the ad valorem tax. In default of payment of the license taxes, at the

time fixed by ordinance, a penalty of five per centum shall be added to the amount thereof, and interest thereon, as may be provided by ordinance, not exceeding ten per centum per annum, from date of default until payment, shall be computed and paid by the delinquent. A lien, prior to all others except that for State taxes, whether acquired before or after the maturity of such license taxes, shall exist in favor of the city from and after the date such license taxes become due and payable, for the amount thereof, penalty and interest, upon all the property, real and personal, of such delinquent, which lien shall be enforceable by suit, in the name of the city, in the circuit court; and in such suit personal judgment may also be obtained against such delinquent for the amount of such license tax, penalty, interest and costs of suit.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	H. C. Cummins	W. G. Gooch
Peter Ampler	Jas. R. Dorman	C. H. Grimes
G. G. Brashear	Thomas A. Dover	J. S. Hall
E. Bullock	W. E. Dowling	L. B. Hamilton
Henry A. Cannon	William Duffy	W. C. G. Hobbs
S. B. Coleman	Odie Duncan	A. B. Holland
W. P. Cropper	L. L. Embrey	David J. Howard
R. T. Crowe	T. T. Gardner	J. M. Howell
James S. Cruse	Wm. Gearheart	Chas. L. Hunter

R. B. Jackson	C. B. Nichols	Thomas Spurrier
T. R. Jones	A. J. Oliver	Ed. D. Stone
H. Clay Kauffman	William A. Perry	R. C. Tartar
Wm. J. Kuh	Geo. L. Pickett	Robt. R. Treadway
W. T. Lasley	A. B. Pieratt	F. C. Trivette
M. E. Lee	W. A. Price	D. B. Tyra
Dr. J. E. Lilly	J. D. Pumphrey	J. Wood Vance
Dr. C. W. Mathers	Harry P. Purnell	J. W. Wall
Jacob Metzger	D. S. Richardson	John S. Webb
Harry J. Meyers	John T. Roach	W. M. Webb
Claude D. Minor	Joe Schneider	Frank M. White
G. B. Moores	L. M. Smith	J. D. Wills
John T. Murphy	E. D. Smith	E. S. Wood
B. F. McAtee	Claude B. Smith	E. G. Young
W. J. McMurray	John W. Snider	
L. T. Neat	Adam Spahn	—73

Those who voted in the negative were—

H. F. S. Bailey	W. H. Brown	E. B. McGlone
Frank J. Brown	R.B.Hutcheraft,Jr.	—5

Resolved that the title thereof be as aforesaid.

Mr. Price moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 49. An act to amend the Kentucky Statutes, chapter 89, section 2928a, by adding thereto section 2928b, creating the office of court matron for the police court of cities of the first class, and prescribing her rights and duties and compensation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created the office of court matron of the police court in all cities of the first class in this State. Said matron shall be appointed by the judge of the police court aforesaid of every city of the first class. The term of office of the said court matron shall be two years, and until the qualification of her successor; and she shall be removable by the judge of the police court aforesaid, for good cause, and the judge shall cause to be entered in the minutes of his court his reasons for such removal. Said judge shall have power to appoint a successor whenever a vacancy may occur in the office of court matron for whatever cause.

§ 2. The said office shall be filled by a woman of good moral character, with experience and training in social work, and she shall be fully qualified to perform the duties of her office.

§ 3. Said matron shall have all the authority vested in a police officer of cities of the first class; she shall investigate and report to the judge of the police court upon the past histories, conditions of living, character, morals and habits of all women and girls awaiting trial in such city court, and shall exercise supervision of such women and girls while under suspended sentence until final disposition of the charge or charges against them.

§ 4. Said matron shall be paid out of the city treasury a salary of seventy-five dollars ($75.00) per month, and shall be allowed all necessary expenses incidental to investigation of cases subject to the approval of the judge of the police court.

Mr. Spahn offered the following amendment to said bill: Amend said bill by striking from section 3 the following:

"Said matron shall have all the authority vested in a police officer of cities of the first class," and add in lieu thereof the following: "Said matron shall investigate and report to the judge of the police court upon the past histories, conditions of living, character, morals and habits of all women and girls awaiting trial in such city court, and shall exercise supervision of such women and girls while under suspended sentence until final disposition of the charge or charges against them."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	R. T. Crowe	C. H. Grimes
Peter Ampler	James S. Cruse	L. B. Hamilton
H. F. S. Bailey	H. C. Cummins	W. C. G. Hobbs
Chas. D. Bratcher	Jas. R. Dorman	A. B. Holland
G. G. Brashear	Thomas A. Dover	David J. Howard
Frank J. Brown	W. E. Dowling	J. M. Howell
W. H. Brown	William Duffy	Chas. L. Hunter
E. Bullock	J. R. Durham	R. B. Jackson
Henry A. Cannon	J. M. Elliston	J. M. Johnson
Glover H. Cary	L. L. Embrey	T. R. Jones
R. A. Cook	T. T. Gardner	W. H. Jones
S. B. Coleman	Wm. Gearheart	H. Clay Kauffman
W. P. Cropper	W. G. Gooch	Wm. J. Kuh

W. T. Lasley	A. B. Pieratt	Ed. D. Stone
M. E. Lee	W. A. Price	Bannie Tabor
Dr. J. E. Lilly	J. D. Pumphrey	R. C. Tartar
W. R. Lyon	Harry P. Purnell	J. H. Thompson
Dr. C. W. Mathers	Richard Radcliffe	Robt. R. Treadway
Jacob Metzger	D. S. Richardson	F. C. Trivette
Claude D. Minor	John T. Roach	D. B. Tyra
G. B. Moores	Lewis Ryans	J. W. Wall
John T. Murphy	Joe Schneider	John S. Webb
B. F. McAtee	L. M. Smith	W. M. Webb
E. B. McGlone	E. D. Smith	Frank M. White
W. J. McMurray	Claude B. Smith	J. D. Wills
S. Mazyck O'Brien	John W. Snider	E. S. Wood
A. J. Oliver	Adam Spahn	Louis E. Yewell
William A. Perry	Thomas Spurrier	E. G. Young

—84

Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 80. An act to amend and re-enact section 3483, chapter 89, Kentucky Statutes, Carroll's edition, relating to adding or striking off territory of cities of the fourth class, being an Act of June 28, 1893, and March 17, 1898.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3483 be amended by striking from the fifty-first line thereof the words "and no appeal shall lie from the judgment of the circuit court," and inserting in lieu thereof the words, "and an appeal shall lie from the judgment of the circuit court as in other cases," so that said section when so amended will read as follows:

"Section 3483. Boundary—Adding or Striking Off Terirtory—Jurisdiction of Circuit Court.—The boundaries of cities of the fourth class shall, until changed as herein provided, remain as now established by law. Whenever it shall be deemed desirable to annex any territory to a city in this class, or to reduce the boundaries thereof, the same may be done in the following manner: The board of council of such city shall, by ordinance, accurately define the boundary of the territory proposed to be annexed or stricken off. Such ordinance shall be published for not less than three weeks in a newspaper published in such city or county; if there be no newspaper published in the city, or county, the ordinance shall be advertised by hand bills, to be posted for at least fifteen days at four or more public places in the city, and at the same number of the most public places within the territory proposed to be annexed or stricken off. Within thirty days after the adoption, publication and advertisement of such ordinance, a petition shall be filed in the circuit court of the county within which said city may be situated in the name and on behalf of the city, setting forth the passage, publication and advertisement of such ordinance, the object and purposes thereof, together with an accurate description by metes and bounds of the territory proposed to be annexed to or stricken from the city, and praying for a judgment of the court to annex said territory to or strike same from the city, as the object may be. The said petition shall be filed not less than twenty days before the first day of the next succeeding term of the circuit court in that county. Notice of the filing of the same shall be given in the same manner as provided herein for notice of passage of said ordinance. If no defense be made at the first term of the court after the filing of said petition and notice of same as herein provided, and the court shall make no order for granting future time for making defense, the court shall render judgment annexing or striking off the proposed territory, as the object of the proceedings may be. But at the first term of

the circuit court, or within the time fixed by the court by its order, any one or more of the resident voters of the territory proposed to be annexed or stricken off may file a defense in said proceeding, setting forth the reasons why such territory or any part thereof, should not be annexed to the city, or why the limits of the city should not be reduced. The case shall be tried by the court without the intervention of a jury. If the court, upon hearing, be satisfied that less than a majority of the resident voters of the territory sought to be annexed or stricken off have remonstrated against the proposed extension or reduction, and that the proposed extension or reduction of the limits of the city, as the case may be will be for the interest of the city and will cause no material injury to the owners of real estate in the limits of the proposed extension or reduction, it shall so find, and the proposed extension or reduction shall be decreed, or adjudged. But if the court shall find that a majority or more of the resident voters in the territory to be affected or the owner or owners of said property, if there be no resident voters, remonstrated against such change, and that said change will cause material injury to the owners of real estate in the limits of the proposed extension or reduction, it shall so find, and said extension or reduction shall be denied. If the judgment of the court is adverse to the proposed change, no further effort to annex or strike off the territory so proposed shall be made within two years after the entering of the judgment. Costs shall follow the judgment, and an appeal shall lie from the judgment of the circuit court as in other cases. If the judgment in such proceeding be in favor of the city, it shall be certified by the clerk of the court to the board of council and entered on the record of the board and the board shall thereupon, by ordinance annex to or strike from the city the territory described in the judgment; provided, the circuit court shall not have jurisdiction of such proceedings, unless the required publication or advertisement of the ordinance proposing the extension or reduction of the

limits of the city contains notice of the proposed proceedings in such court, proof of which publication or advertisement may be made by affidavit filed in the proceeding; provided, however, that the provisions of this act shall not be construed as interfering with the rights of any litigant in or growing out of any action now pending in any court of this Commonwealth, under the act to which this amendment applies.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	Odie Duncan	W. H. Jones
H. F. S. Bailey	J. R. Durham	H. Clay Kauffman
Chas. D. Bratcher	L. L. Embrey	Wm. J. Kuh
G. G. Brashear	T. T. Gardner	W. T. Lasley
Frank J. Brown	W G. Gooch	Dr. J. E. Lilly
W. H. Brown	Frank C. Greene	W. R. Lyon
E. Bullock	C. H. Grimes	Dr. C. W. Mathers
Henry A. Cannon	L. B. Hamilton	Jacob Metzger
Glover H. Cary	W. B. Harvey	Harry J. Meyers
R. A. Cook	W. C. G. Hobbs	Claude D. Minor
S. B. Coleman	A. B. Holland	G. B. Moores
W. P. Cropper	David J. Howard	John T. Murphy
R. T. Crowe	J. M. Howell	B. F. McAtee
James S. Cruse	Chas. L. Hunter	W. J. McMurray
H. C. Cummins	R.B.Hutchcraft,Jr.	S. Mazyck O'Brien
Jas. R. Dorman	R. B. Jackson	A. J. Oliver
W. E. Dowling	J. M. Johnson	Geo. L. Pickett
William Duffy	T. R. Jones	A. B. Pieratt

W. A. Price	Claude B. Smith	F. C. Trivette
J. D. Pumphrey	John W. Snider	D. B. Tyra
Harry P. Purnell	Adam Spahn	J. W. Wall
Richard Radcliffe	Thomas Spurrier	John S. Webb
D. S. Richardson	Ed. D. Stone	J. D. Wills
John T. Roach	Bannie Tabor	M. O. Wilson
Joe Schneider	R. C. Tartar	E. S. Wood
L. M. Smith	J. H. Thompson	Louis E. Yewell
E. D. Smith	Robt. R. Treadway	E. G. Young

—81

Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 61. An act to amend section 3449 of the Kentucky Statutes. The object of which is to amend the Statutes of Kentucky so that cities of the third class may pay for construction of streets in installments.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3449 of the Kentucky Statutes be amended by adding thereto the following:

The common council may provide that the construction or reconstruction of any of the sewers, streets, alleys, public ways and sidewalks shall be made on the ten (10) year plan; and thereupon when any such improvement or reimprovement has been completed and accepted a notice shall be given by publication in a newspaper of general circulation published in the city, requiring the property owner to pay the assessments made against their property for such work; and if such assessments be not paid by such property own-

ers, then to provide a fund for the payment of such portion of the entire cost of such improvement or reimprovement as the property holders shall be liable for, but may not pay in cash in conformity with said notice the common council is authorized to borrow money at a rate of interest not exceeding six per cent. per annum in anticipation of the collection of a special tax or assessment for such improvement or reimprovement from such property holders, and to issue the bonds of the city therefor in manner and form herein provided, pledging the liens on the property and any fund which the city may have set apart for said purpose and the faith and credit of the city where the city has been authorized to pledge its faith and credit, or any or all of said pledges may be given by the city for the payment of the principal and interest of said bonds as the city may desire. The city may, if it so desires and has been authorized by law, to pledge the faith and credit of the city in payment of its part of the cost of any improvement made hereunder, issue bonds for its part of the cost of the improvement in like manner as is herein provided for the issual of bonds in payment of the cost of the improvement on behalf of the property holders. But said city may assess the entire cost of such improvement or reimprovement against the property owners and issue bonds therefor as herein provided. Said bonds shall be divided into ten series, each series to be as nearly equal as possible; said series to be paid respectively in one, two, three, four, five, six, seven, eight, nine and ten years after date. Said bonds shall be of the denomination of $100 or its multiple, not exceeding $1,000, and shall bear interest at the rate of not exceeding six per cent. per annum. Said bonds shall show upon their face by general designation, the sewer, district, streets or other public ways for the improvement or reimprovement of which they are issued or used. Any odd amount remaining after the issuing of said bonds of the denomination of $100 or its multiple as herein provided may be paid in cash out of the general fund of the city, or may, at the option of the com-

mon council be included in a separate bond payable in ten years from date, drawing like interest as the bonds herein provided for. The owner or owners of each lot of land subject to assessment for such improvement or reimprovement who pays in cash the entire amount of assessment or tax due upon his property shall thereupon have his property released upon the record of the common council from further liability for the payment of said bonds or said assessment or tax. Such property owners as do not pay in cash the entire amount of assessment or tax against their property for such improvement or reimprovement shall pay annually at the time of the payment of their city taxes one-tenth (1-10) of the amount of the assessment or tax against his property, together with six per centum per annum interest thereon from the date of such assessment until paid and six per centum per annum interest upon the remaining assessment unpaid; and shall continue such annual payments at such time until the entire amount of the assessment and interest shall be paid. Upon default of such payment at such times, the same penalty shall attach on the amount so payable as attaches to the nonpayment of other municipal taxes and may be collected together with the amount so due from the owner or owners of such property in the same manner as other city taxes and penalties are collected for municipal purposes; and such assessments and penalty shall be and remain a lien upon such property until the same, with the interest thereon, have been fully paid and satisfied. It shall be the duty of the city collector immediately on default of payment in cash of the assessment upon said property at the time specified by the common council, to forthwith certify all unpaid assessments to the common council of the city and the common council shall thereupon declare all the assessments against the property to be due and unpaid and may direct the institution of a suit in equity to enforce the lien upon and collection of the total assessment, in which suits the proceedings shall be as in other suits in equity to foreclose liens upon land and a

copy duly certified of the collector's certificate and of the action of the common council thereon shall be prima facie evidence that all the steps necessary to create a lien on such property for such assessment have been duly and legally taken. And the common council or the court shall have power at any stage of the proceedings to correct or remedy any error or oversight therein, in order to validate and secure said lien. The annual assessments, penalties and interest and all portions thereof shall be paid to the city treasurer when collected and shall go into the sinking fund of the city and shall be, by the Sinking Fund Commissioners, applied, as far as practicable, to the payment or purchase of bonds issued in anticipation of their collection and the interest thereon as the same shall become due; but if impracticable, the same shall be invested as other funds of the sinking fund are required to be invested.

(2) The clerk of city shall prepare and keep a book similar to the tax assessment book in which he shall enter the assessments made under this law, with the names of the parties, the property assessed, with the amount and date of assessment, when due, and other appropriate data with reference thereto. When any assessment is paid the collector shall enter evidence of the same in the appropriate place in said book. Said book shall be a public record of the city.

(3) The liens for the work done under this law and the assessments herein provided for shall be superior to any and all liens or encumbrances prior or subsequent, excepting only State, county and city taxes.

So that said section when amended shall read as follows:

(3449) Improvement—Powers of Council—Sidewalk—Lien on Abutting Lots.—The common council shall have

power to pass ordinances to require the improvement of streets and alleys, subject to the mode and manner herein designated, either by grading and paving, or by grading, paving and macadamizing, or graveling, guttering, curbing and paving, or planking of sidewalk, any portion thereof, not less in length than one block, or the whole of any street or alley now established, or which hereafter may be established, or by guttering, curbing, paving and grading any number of feet, not less than a block, upon either or both sides of any street where the same shall be necessary to complete such class of improvement on any square or street, or by grading, paving, curbing or guttering of one side of any street where the other side of such street has been improved theretofore, or the reconstruction or repairing of the sidewalks, by recurbing, reguttering or repaving on any or all streets at the cost of the owner or owners of the ground fronting such improvement; and the cost of such improvement to be apportioned according to the number of feet front each may own in front of said improvement; and a lien is hereby created on the said ground for the cost thereof; all of which improvements, when required to be made, the common council shall order done by the passage of an ordinance for that purpose, which shall fully declare and prescribe the kind and extent of improvement to be made. That the common council may require by ordinance the improvement of any street or alley simply by grading or graveling or macadamizing, or may require by ordinance the whole of any street to be improved by grading, graveling or macadamizing, guttering, curbing and paving or planking the sidewalk, the whole or any part not less than one block of any street.

The common council may provide that the construction or reconstruction of any of the sewers, streets, alleys, public ways and sidewalks shall be made on the ten (10) year plan; and thereupon when any such improvement or reimprovement has been completed and accepted, a notice shall be

given by publication in a newspaper of general circulation published in the city, requiring the property owner to pay the assessments made against their property for such work; and if such assessments be not paid by such property owners, then to provide a fund for the payment of such portion of the entire cost of such improvement or reimprovement as the property holders shall be liable for, but may not pay in cash in conformity with said notice, the common council is authorized to borrow money at a rate of interest not exceeding six per cent. per annum in anticipation of the collection of a special tax or assessment for such improvement or reimprovement from such property holders, and to issue the bonds of the city therefor in manner and form herein provided, pledging the liens on the property and any fund which the city may have set apart for said purpose and the faith and credit of the city where the city has been authorized to pledge its faith and credit, or any or all of said pledges may be given by the city for the payment of the principal and interest of said bonds as the city may desire. The city may, if it so desires and has been authorized by law, to pledge the faith and credit of the city in payment of its part of the cost of any improvement made hereunder, issue bonds for its part of the cost of the improvement in like manner as is herein provided for the issual of bonds in payment of the cost of the improvement on behalf of the property holders. But said city may assess the entire cost of such improvement or reimprovement against the property owners and issue bonds therefor as herein provided. Said bonds shall be divided into ten series, each series to be as nearly equal as possible; said series to be paid respectively in one, two, three, four, five, six, seven, eight, nine and ten years after date. Said bonds shall be of the denomination of $100 or its multiple, not exceeding $1,000, and shall bear interest at the rate of not exceeding six per cent. per annum. Said bonds shall show upon their face, by general designation, the sewer, district, streets or other public ways for the improvement or

reimprovement of which they are issued or used. Any odd amount remaining after the issuing of said bonds of the denomination of $100 or its multiple as herein provided may be paid in cash out of the general fund of the city, or may, at the option of the common council, be included in a separate bond payable in ten years from date drawing like interest as the bonds herein provided for. The owner or owners of each lot of land subject to assessment for such improvement or reimprovement who pays in cash the entire amount of assessment or tax due upon his property shall thereupon have his property released upon the record of the common council from further liability for the payment of said bonds or said assessment or tax. Such property owners as do not pay in cash the entire amount of assessment or tax against their property for such improvement or reimprovement shall pay annually at the time of the payment of their city taxes one-tenth (1-10) of the amount of the assessment or tax against his property, together with six per centum per annum interest thereon from the date of such assessment until paid and six per centum per annum interest upon the remaining assessment unpaid; and shall continue such annual payments at such time until the entire amount of the assessment and interest shall be paid. Upon default of such payment at such times, the same penalty shall attach on the amount so payable as attaches to the non-payment of other municipal taxes and may be collected together with the amount so due from the owner or owners of such property in the same manner as other city taxes and penalties are collected for municipal purposes; and such assessments and penalty shall be a lien upon such property until the same, with the interest thereon, have been fully paid and satisfied. It shall be the duty of the city collector immediately on default of payment in cash of the assessment upon said property at the time specified by the common council, to forthwith certify all unpaid assessments to the common council of the city and the common council shall thereupon declare

all the assessments against the property to be due and unpaid and may direct the institution of a suit in equity to enforce the lien upon and collection of the total assessment, in which suits the proceedings shall be as in other suits in equity to foreclose liens upon land and a copy duly certified of the collector's certificate and of the action of the common council thereon shall be prima facie evidence that all the steps necessary to create a lien on such property for such assessment have been duly and legally taken. And the common council or the court shall have power at any stage of the proceedings to correct or remedy any error or oversight therein, in order to validate and secure said lien. The annual assessments, penalties and interest and all portions thereof shall be paid to the city treasurer when collected and shall go into the sinking fund of the city and shall be, by the Sinking Fund Commissioners, applied as far as practicable to the payment or purchase of bonds issued in anticipation of their collection and the interest thereon as the same shall become due; but if impracticable, the same shall be invested as other funds of the sinking fund are required to be invested.

(2) The clerk of the city shall prepare and keep a book similar to the tax assessment book in which he shall enter the assessments made under this law with the names of the parties, the property assessed, with the amount and date of assessment, when due, and other appropriate data with reference thereto. When any assessment is paid the collector shall enter evidence of the same in the appropriate place in said book. Said book shall be a public record of the city.

(3) The liens for the work done under this law and the assessments herein provided for shall be superior to any and all liens or encumbrances prior or subsequent, excepting only State, county and city taxes.

(4) Whereas, there is a crying need for the immediate paving and improvement of streets in various third class cities, an emergency is declared to exist and this act shall take effect from and after its passage, approval and publication.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	L. B. Hamilton	C. B. Nichols
Peter Ampler	W. C. G. Hobbs	A. J. Oliver
H. F. S. Bailey	David J. Howard	William A. Perry
Frank J. Brown	J. M. Howell	Geo. L. Pickett
W. H. Brown	Chas. L. Hunter	A. B. Pieratt
E. Bullock	R. B. Jackson	W. A. Price
Henry A. Cannon	J. M. Johnson	J. D. Pumphrey
Glover H. Cary	T. R. Jones	Harry P. Purnell
R. A. Cook	W. H. Jones	D. S. Richardson
S. B. Coleman	H. Clay Kauffman	Lewis Ryans
W. P. Cropper	Wm. J. Kuh	Joe Schneider
R. T. Crowe	W. T. Lasley	L. M. Smith
James S. Cruse	Dr. J. E. Lilly	E. D. Smith
Jas. R. Dorman	Dr. C. W. Mathers	Claude B. Smith
W. E. Dowling	Jacob Metzger	Adam Spahn
William Duffy	Harry J. Meyers	Thomas Spurrier
Odie Duncan	Claude D. Minor	Ed. D. Stone
J. R. Durham	G. B. Moores	Bannie Tabor
J. M. Elliston	John T. Murphy	R. C. Tartar
T. T. Gardner	B. F. McAtee	J. H. Thompson
W. G. Gooch	E. B. McGlone	Robt. R. Treadway
C. H. Grimes	W. J. McMurray	F. C. Trivette

D. B. Tyra	Frank M. White	E. S. Wood
J. W. Wall	J. D. Wills	Louis E. Yewell
John S. Webb	M. O. Wilson	E. G. Young

—75

Resolved that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 83. An act creating a State Board of Accountancy, prescribing its powers and duties, providing for examinations and issuing certificates to qualified public accountants, and providing for penalties for violation of the provisions of this act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established a State Board of Accountancy to consist of three members.

Within thirty days after this act becomes a law the Governor shall appoint as members of said board three persons skilled in the knowledge and practice of accounting, each of whom shall have been a citizen of the State of Kentucky for at least one year and shall have been for at least three years immediately preceding such appointment actively engaged as a professional public accountant as hereinafter defined.

One of the members thus appointed shall be appointed for a term of one year; one for a term of two years and one for a term of three years, and thereafter as the terms of said offices expire the Governor shall appoint, from among the holders of certificates as certified public accountants as hereinafter provided for, a member of said board for a term of three years or until his successor shall be appointed and qualified.

The Governor shall have power to fill any vacancy occurring in the membership of the board and remove any member for cause after due notice and a hearing thereon.

§ 2. Within thirty days after the appointment of said board, the members thereof shall hold a meeting and organize, by the election of a president, secretary and treasurer, each of whom shall hold office until Tuesday after the first Monday in January, nineteen hundred and seventeen, and the election of officers thereafter shall be held annually on Tuesday after the first Monday in January. The offices of secretary and treasurer may be held by the same person. The first board after organizing shall issue to each member thereof a certificate as certified public accountant.

§ 3. The board shall make all necessary rules and regulations for conducting examinations of applicants and governing the method and time of filing applications for examinations, and the time within which an applicant must be examined after his application has been filed, and said board shall have the power to adopt all other reasonable rules and regulations, not inconsistent herewith as may be necessary to carry into effect the objects and purposes of this act.

All such examinations shall be conducted by the State Board of Accountancy. The examinations shall take place as often as may, in the opinion of the board be necessary, at

such date and place as may be selected by it, but not less than once in each calendar year.

Said board shall keep a complete record of its proceedings, and an accurate list of all applications made, certificates issued, certificates revoked, a complete record of cash receipts and disbursements, and shall make report of same annually to the Governor on the thirty-first of December.

Said board shall adopt and provide itself with a seal with a band inscribed "State Board of Accountancy of Kentucky," with the coat of arms of the State of Kentucky in the center, and all certificates issued as provided for in this act, shall be signed by the president and secretary of said board and shall bear the imprint of said seal.

A majority of said board shall constitute a quorum and the affirmative vote of two members shall be considered as the action of said board except in case of revoking a certificate, in which case the unanimous vote of the board shall be required.

§ 4. Every applicant for certificate as certified public accountant shall be—

A citizen of the United States or a person who has, in good faith, declared his intention of becoming such citizen; not less than twenty-five years of age; of good moral character; a graduate of a high school with a four-year course, or who, in the opinion of the board, possesses an education fully equivalent to that of a graduate of a high school with a four-year course; who has had at least three years' experience in the practice of accounting, at least one year of which shall have been either in the office of a practicing accountant or in individual practice as a public accountant.

§ 5. No person (except those provided for under section six of this act) shall have issued to him a certificate as certified public accountant until after he has been found qualified by written examination, conducted by the State Board of Accountancy of Kentucky in the subjects of "Practical Accounting," "Theory of Accounts," "Auditing" and "Commercial Law as Affecting Accountancy."

§ 6. That said Board of Accountancy shall waive the examination of and issue a certificate as a certified public accountant to any person who furnishes said board with evidence of satisfactory work in accounting completed by him and who possesses the qualifications mentioned in section four of this act, as to age, citizenship, moral character, preliminary education and experience in practice of accountancy, who is a citizen of the State of Kentucky, and who for more than three years immediately preceding the passage of this act shall have been practicing on his own account as a public accountant and who shall apply in writing for such certificate within ninety days after the passage of this act, provided, that such applicant shall submit with his application proof of his age, citizenship, good moral character, educational qualifications and experience in the practice as a public accountant as set out in section four of this act; or to any person who is the legal holder of a certificate as certified public accountant or chartered accountant issued by or under the authority of any other State or territory of the United States, District of Columbia or foreign nation, provided, however, that the Kentucky State Board of Accountancy shall be satisfied that the standards and requirements for the issue of such certificates are fully equivalent to those established by this act.

§ 7. For the purpose of this act a public accountant is hereby defined as a person skilled in the knowledge and science of accounting who holds himself out to the public as a practicing accountant for compensation and who main-

tains an office for the transaction of such and whose time during the regular business hours of the day is devoted to the practice of accounting as a professional public accountant.

§ 8. Any person who has received from said State Board of Accountancy a certificate of his qualifications to practice as a certified public accountant as herein provided, shall be known as a certified public accountant and no other person and no partnership, all the members of which have not received such certificate and no corporation shall assume such title of certified public accountant or chartered accountant, or use the abbreviation, "C. P. A." or "C. A.," or any other words, letters, or abbreviations indicating that such person, firm or corporation is the holder of certificates as herein provided for. All firms and partnerships as are authorized to do business under the provisions of this section of this act shall at all times keep on file with the secretary of the said State Board of Accountancy, the names and post office address of each member of said firm or partnership, which record shall at all reasonable times be open to the inspection of any person holding a certificate as certified public accountant, issued under the provisions of this act.

§ 9. For the purpose of defraying the expenses of said board, a fee of twenty-five dollars shall be paid into the treasury of said board by each of the members of the first board appointed by the Governor, and a like sum shall be paid into the treasury of the Board of Accountancy by each person applying thereto for a certificate as certified public accountant, which fee must accompany the application and no part of said fee shall be refunded, but no additional charge can be made against the applicant by the board for holding the examination or determining his right to the certificate or issuing to him a certificate as certified public accountant.

Any applicant failing to receive a certificate upon his first application, under section six of this act, or any applicant who fails to pass at his first examination shall be entitled to enter at any stated examination held within one year from the date of his failure to procure a certificate, as provided for in this act, without payment of any additional fee.

§ 10. Members of the board to be appointed under the provisions of this act shall be paid for the time actually expended in the pursuance of the duties imposed upon them by this act an amount not exceeding five dollars per day and they shall be entitled to necessary traveling expenses when on official business of the board.

All necessary expenses incident to carrying out the provisions of this act shall be paid out of the funds of the board, but no expenses incurred under this act shall ever be a valid charge against the funds of the State of Kentucky.

§ 11. Said State Board of Accountancy shall revoke certificates issued under the provisions of this act, and held by any person who may be guilty of knowingly issuing or certifying to any false statement or statements or who has been convicted of crime involving moral turpitude, or who fails to pay the annual dues within sixty days after same is due, provided, however, that written notice of such proposed action shall have been delivered in person or forwarded by registered mail to the holder of such certificate at his last known postoffice address, stating the cause for such contemplated action, together with a copy of the charges and appointing a time and place for hearing thereon by the State Board of Accountancy, provided, however, that no certificate issued under this act shall be revoked until after such hearing and at all such hearings both the board and the accused may be represented by counsel. Any certificate issued by

this board and subsequently revoked shall be surrendered to the board.

§ 12. The Board of Accountancy hereby created shall not have the power to create any debt or incur any expense beyond the funds of the board which shall consist of the fees hereinbefore fixed and an annual fee of not exceeding two dollars which shall be paid at such time as may be fixed by said board by every person holding a certificate as certified public accountant issued by said board. Any person desiring to be relieved of the annual dues may do so by voluntarily surrendering his certificate to the board, after which he shall not be considered or known as a certified public accountant within the meaning of this act, unless he is again qualified by the examination, as provided for in this act.

§ 13. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than two hundred dollars or be imprisoned in the county jail for a period of not less than one month nor more than six months or both so fined and imprisoned in the discretion of the court or jury.

§ 14. Nothing herein contained shall be so construed as to prevent any person from being employed or practicing as an accountant in this State.

§ 15. No person shall be appointed a member of the State Board of Accountancy of the State of Kentucky, who is directly or indirectly interested in, or connected with, in a pecuniary way, any business college, organization, or association, teaching bookkeeping, or accounting; but nothing herein shall be construed to prevent any member of the said board from delivering lectures or assisting in any such business college, organization, or association teaching accounting or bookkeeping; provided, that such services are ren-

dered without charge and that no compensation or remuneration is received or accepted for such services.

§ 16. If any clause, sentence, paragraph, or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect, impair, or invalidate the remainder of said act, but shall be confined in its operation to the clause, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank C. Greene	Harry J. Meyers
Frank J. Brown	C. H. Grimes	Claude D. Minor
Henry A. Cannon	L. B. Hamilton	G. B. Moores
Glover H. Cary	W. C. G. Hobbs	John T. Murphy
W. P. Cropper	A. B. Holland	B. F. McAtee
R. T. Crowe	David J. Howard	E. B. McGlone
H. C. Cummins	J. M. Howell	S. Mazyck O'Brien
Jas. R. Dorman	Chas. L. Hunter	A. J. Oliver
Thomas A. Dover	R.B.Hutchcraft,Jr.	William A. Perry
William Dufty	T. R. Jones	Geo. L. Pickett
J. R. Durham	H. Clay Kaufman	W. A. Price
J. M. Elliston	Wm. J. Kuh	J. D. Pumphrey
L. L. Embrey	W. T. Lasley	Richard Radcliffe
T. T. Gardner	Dr. J. E. Lilly	D. S. Richardson
Wm. Gearheart	Dr. C. W. Mathers	John T. Roach
W. G. Gooch	Jacob Metzger	Joe Schneider

L. M. Smith	R. C. Tartar	John S. Webb
Claude B. Smith	Robt. R. Treadway	E. S. Wood
John W. Snider	F. C. Trivette	Louis E. Yewell
Adam Spahn	D. B. Tyra	E G. Young
Thomas Spurrier	J. Wood Vance	
Ed. D. Stone	J. W. Wall	—64

Those who voted in the negative were—

H. F. S. Bailey	Odie Duncan	A. B. Pieratt
Chas. D. Bratcher	W. R. Lyon	Frank M. White
G. G. Brashear	W. J. McMurray	J. D. Wills
E. Bullock	C. B. Nichols	—11

Resolved that the title thereof be as aforesaid.

Mr. Minor moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 26. An act to amend and re-enact section 3637 of the Kentucky Statutes, Carroll's edition, being a part of article VI. of an Act of July 3, 1893, entitled "Municipal Corporations, Cities of the Fifth Class, so as to permit the council of such cities through its mayor, to sell, convey and transfer to the United States government water front or a portion thereof when needed to improve navigation."

To the Committee on Kentucky Statutes.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 26, 1916.

The House was opened with prayer by the Rev. Rodger T. Nooe, Pastor of the Christian Church of the city of Frankfort, Kentucky.

The reading of the Journal of yesterday's proceedings was dispensed with.

The question being raised as to whether or not a quorum was present in the House, a roll call of the members of the House of Representatives was had which resulted as follows:

Those present were—

W. C. Allen	David J. Howard	W. A. Price
H. F. S. Bailey	J. M. Howell	Harry P. Purnell
Chas. D. Bratcher	Chas. L. Hunter	John T. Roach
G. G. Brashear	J. M. Johnson	Lewis Ryans
W. H. Brown	T. R. Jones	Claude B. Smith
E. Bullock	W. H. Jones	John W. Snider
Henry A. Cannon	H. Clay Kauffman	Thomas Spurrier
Glover H. Cary	Wm. J. Kuh	Ed. D. Stone
R. A. Cook	M. E. Lee	R. C. Tartar
James S. Cruse	Dr. J. E. Lilly	Robt. R. Treadway
H. C. Cummins	W. R. Lyon	D. B. Tyra
Jas. R. Dorman	Dr. C. W. Mathers	Frank M. White
H. C. Duffy	Claude D. Minor	J. D. Wills
T. T. Gardner	G. B. Moores	M. O. Wilson
W. G. Gooch	B. F. McAtee	E. S. Wood
C. H. Grimes	E. B. McGlone	Louis E. Yewell
W. B. Harvey	W. J. McMurray	E. G. Young
W. C. G. Hobbs	Geo. L. Pickett	
A. B. Holland	A. B. Pieratt	—55

A quorum being present, the House was in order.

The death of the Hon. J. E. Stewart, State Senator of Kentucky, being suggested to the House of Representatives, Mr. Tartar moved that this House do now adjourn out of respect to his memory, until tomorrow morning at 10 o'clock.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, JANUARY 27, 1916.

The House was opened with prayer by the Rev. Rodger T. Nooe, Pastor of the Christian Church of Frankfort, Kentucky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Perry moved that Mr. O'Brien be granted a leave of absence for the period of one day.

Said motion was agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Neat:

H. B. 319. An act to exempt persons over sixty-five years of age from paying poll tax.

To the Committee on Revenue and Taxation.

By Mr. Minor:

H. B. 320. An act to repeal section 596 of Kentucky Statutes (Carroll's 1915 edition), relative to the paying of dividends by banks, and re-enacting said section.

To the Committee on Banks and Banking.

By Mr. Jackson:

H. B. 321. An act repealing chapter II. of Carroll's 1909 edition, Kentucky Statutes, same being an act relating to boat and watercrafts' license.

To the Committee on Public Utilities.

By Mr. Wall:

H. B. 322. An act to prohibit the running at large of male stock of certain species.

To the Committee on Agriculture.

By Mr. Cook:

H. B. 323. An act to enable fiscal courts of any county to select commissioners for the purpose of handling the proceeds of any bond issue voted by the county to build or reconstruct roads and bridges.

To the Committee on Kentucky Statutes.

By Mr. Stone:

H. B. 324. An act repealing chapter 133 of the Acts of 1912, establishing a State Board of Forestry.

To the Committee on Forestry.

By Mr. Perry:

H. B. 325. An act to amend section 1596a, subsection 14, of the Kentucky Statutes, Carroll's edition, 1909.

To the Committee on Municipalities.

By Mr. Wm. Duffy:

H. B. 326. An act providing a stenographer in the county attorney's office in counties containing a city of the first class.

To the Committee on Municipalities.

By Same:

H. B. 327. An act to provide a uniform system of classification of risks, premium rates and schedule ratings for the Kentucky Employers' Insurance Association and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation Insurance Act; to establish adequate rates for such insurance, to permit the limited issuance of compensation participating policies, requiring the Workmen's Compensation Board to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this act, and fixing penalties for the violation thereof.

To the Committee on Compensation for Industrial Injuries.

By Mr. Meyers:

H. B. 328. An act regulating the running at large of chickens, ducks, or other fowls in incorporated cities and towns and providing a penalty therefor.

To the Committee on Municipalities.

By Mr. Johnson:

H. B. 329. An act to repeal subsection 34 of section 2739 of Kentucky Statutes, Carroll's edition, 1915, and making it the duty of the various county clerks in the counties respectively of the Commonwealth to collect and license motor vehicles.

To the Committee on Public Roads and Highways.

By Mr. Cary:

H. B. 330. An act to amend section 145 of the Constitution of the Commonwealth of Kentucky.

To the Committee on Constitutional Amendments.

By Mr. Richardson:

H. B. 331. An act to regulate the sale of leaf tobacco in this State.

To the Committee on Agriculture.

By Mr. White:

H. B. 332. An act to amend and re-enact section 1486, chapter 41, Carroll's Kentucky Statutes, edition 1915, relating to cities and towns of the first, second, third and fourth class.

To the Committee on Municipalities.

By Same:

H. B. 333. An act to amend and re-enact section 4399, chapter 113, Kentucky Statutes, Carroll's edition, 1915, relating to qualification of county superintendent.

To the Committee on Education.

By Mr. F. J. Brown:

H. B. 334. An act to amend and re-enact section 1731 and to repeal section 1732 of article 4 of chapter 47, Kentucky Statutes, Carroll's edition, 1915, relating to fees, that may be charged by county judges, city or police judges and justices of the peace.

To the Committee on County and City Courts.

By Mr. Tabor:

H. B. 335. An act amending 2613, Kentucky Statutes, relative to the practice of medicine in the State of Kentucky.

To the Committee on Public Health.

By Mr. Spahn:

H. B. 336. An act entitled an act to regulate the occupation of barbering, to create a Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners, to provide rules regulating the proper sanitation of barber shops, schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring to the general public cleaner and better service.

To the Committee on Public Health.

By Mr. Duncan:

H. B. 337. An act to amend an act entitled "An act concerning notaries public," carried in session acts of 1891, 1892 and 1893, as chapter 191 and page 850 thereof.

To the Committee on Judiciary.

A message was received from the Senate announcing that they had passed a bill originating in that body of the following title, viz.:

S. B. 36. An act to provide for the burning or destroying of old election stub books.

To the Committee on Suffrage and Elections.

Mr. Yewell offered the following resolution, viz.:

Whereas, at this time the people of Kentucky are manifesting great interest in road building, which is due in a large measure to the recent enactment of a splendid State Aid Road Law by the General Assembly, under the provisions of which many of our counties increased their taxation and voted upon themselves bond issues for the purpose of raising funds for road building;

And whereas, because of the great financial outlay necessary to carry on this work, and because of the great impetus given this work by State aid;

And whereas, we see from press reports that the "Shackelford Roads Bill" has passed the National House of Representatives, under the provisions of which Kentucky will receive annually the sum of $580,274.00 for road building, and that the Kentucky delegation in said House of Representatives unanimously supported said bill; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That we indorse and approve the action and efforts of our Representatives in Congress in this matter, and urge upon our United States Senators, the Hon. Ollie M. James and the Hon. J. C. W. Beckham to give this measure their support and use all honorable efforts to secure its passage through the United States Senate.

Ordered that said resolution lie on the clerk's desk.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Minor, of the Committee on Appropriations:

H. Res. 5. Resolution directing Auditor of Public Accounts to refund certain money due saloon keepers who had paid State licenses in excess of the period they were allowed to sell.

By Mr. L. M. Smith, of the Committee on Circuit Courts:

H. B. 72. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Sixth Judicial District.

With an amendment thereto.

By Same:

H. B. 146. An act to change the time of holding the regular terms of the circuit courts in the county of Cumberland in the Twenty-ninth Judicial District.

By Same:

H. B. 59. An act to regulate the holding of the terms of circuit courts in the Thirty-fourth Judicial District.

By Same:

H. B. 62. An act to regulate the holding of the terms of the circuit court in the Thirty-fourth Judicial District.

By Same:

H. B. 63. An act to regulate the time of holding the terms of the circuit court in the Twentieth Judicial District.

By Same:

H. B. 75. An act changing the times for holding the sessions of circuit courts of the Twenty-first Circuit Court District of Kentucky.

By Same:

H. B. 129. An act changing the time of holding circuit court in the Fifth Judicial District.

By Mr. Howard, of the Committee on Criminal Law:

H. B. 82. An act prohibiting the use or discharge of firearms or other dangerous missiles by persons on steamboats or other crafts traversing or navigating the streams within this State or while moored to the bank.

With an amendment thereto.

By Same:

H. B. 27. An act making it a misdemeanor to abandon or wilfully neglect to provide for the support and maintenance by any person or his wife or his or her minor children in destitute or necessitous circumstances.

By Same:

H. B. 143. An act to repeal section 1649b, Kentucky Statutes, known as the anti-sweating law.

(Without an expression of opinion.)

Mr. Greene moved that said House Bill 143 be given a first reading and placed in the calendar.

Said motion was agreed to.

Said bill was read the first time at length and ordered to be placed in the calendar.

By Mr. Wills, of the Committee on Confederate Home:

H. B. 135. An act to amend an act entitled "An act to incorporate the Kentucky Confederate Home and provide for the maintenance thereof," approved March 27, 1902; amended March 26, 1904, March 21, 1906, March 19, 1910, and March 18, 1912.

By Mr. White, of the Committee on Education.

H. B. 147. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

By Same:

H. B. 92. An act to amend the Kentucky Statutes, article 10, section 4464, relating to graded common schools, being the same as chapter 12, section 155 of the common school laws of Kentucky.

By Same:

H. B. 172. An act to amend subsection 8 of section 4489, chapter 113, Kentucky Statutes (Carroll's edition, 1909), relating to the issuing of school improvement bonds.

By Mr. Radcliffe, of the Committee on Insurance, Life and Accident:

H. B. 150. An act to further amend sections 124 and 143 of an act entitled "An act providing for the creation and regulation of private corporations," which became a law April 5, 1893, as amended by an act entitled "An act to amend an act, entitled 'An act for the creation and regulation of private corporations,' being an act relating to the subject of insurance and the transaction of the business of life or casualty insurance or both life and casualty insurance upon the co-operative or assessment plan,' " which became a law on June, 1910, and is chapter 103 of the Acts of 1910, and which sections are sections 661 and 680 of the Kentucky Statutes, Carroll's edition of 1915.

By Same:

H. B. 145. An act to permit corporations organized for the purpose of transacting the business of life or casualty insurance, or both life and casualty insurance, upon the co-operative or assessment plan, to reincorporate as life insurance companies on the mutual or stock plan; and providing means whereby, and the conditions on which, such reincorporation may be effected.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 145. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

By Same:

H. B. 193. An act to amend an act entitled, "An act concerning the State Inspector and Examiner," approved June 13, 1893.

By Same:

H. B. 112. An act to amend section 3 of an act approved March 11, 1902, entitled "An act for the better enforcement of an act approved March 10, 1894, entitled 'An act whereby the sense of the people of any county, city, town, district, or precinct may be taken as to whether spirituous, vinous, or malt liquors shall be sold, bartered or loaned therein, and to amend section 4 of said act.' "

By Same:

H. B. 230. An act to amend and re-enact sections 2059, 2060, and 2058, chapter 63 of the Kentucky Statutes, Carroll's editions of 1903 and 1915, relating to the State Board of Health.

With an amendment thereto.

By Mr. Pickett, of the Committee on Railroads:

S. B. 17. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

By Mr. Perry, of the Committee on Revenue and Taxation.

H. B. 120. An act providing for a progressive tax on direct and collateral inheritance.

By Mr. Young, of the Committee on County and City Courts.

H. B. 81. An act to repeal an act entitled "An act designating the method of selecting a person to act in the absence of, or disqualification of a county judge," approved March 19, 1912, and known as chapter 139 of the session acts of 1912 and to re-enact section 1059 of the Kentucky Statutes of 1909, compiled by Jno. D. Carroll.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 20. An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof.

H. B. 87. An act to provide for the determination of heirship of deceased persons.

H. B. 114. An act to repeal the charter of the town of Flat Gap, in Johnson county.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles, and ordered to be placed in the orders of the day.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolutions of the following titles, viz.:

S. Res. 7. Resolution inviting the President to address the General Assembly.

S. Res. 8. Resolution inviting Mrs. Cora Wilson Stewart to address the General Assembly.

Whereupon, all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session, in th presence of the House, affixed his signature to each of said resolutions.

Ordered that the enrolling clerk deliver said resolutions to the Senate.

Mr. L. M. Smith moved that the Hon. John C. Lay be granted the privilege of taking a seat upon the floor of the House today.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 50. An act authorizing the Board of Election Commissioners in counties having cities of the first class to employ assistants, stenographers and clerks to aid in the tabulation of the vote at each election, and authorizing the fiscal court of the county to pay such employes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Board of Election Commissioners in counties having cities of the first class are hereby authorized and empowered to appoint or employ such assistants, stenographers and clerks as may be necessary in tabulating the returns of any primary or final election, and otherwise assisting in the performance of the duties of said board in tabulating and certifying such returns, and the board is hereby authorized and empowered to fix the compensation of each of such employes, and when the amount due is certified to the fiscal court of the county by the Board of Election Commissioners, it shall be the duty of said board to allow all claims so certified, and direct the treasurer of the county to pay same by proper order, and the treasurer of the county is hereby authorized and directed to pay such claims out of the general expenditure fund of the county; provided, however, that the amount which may be paid to said employes in any one year shall not exceed in the aggregate $5,000.

Mr. Lyon offered the following amendment to said bill, viz.:

Amend House Bill 50 by striking out all of line 15, and inserting in lieu thereof the words: "Two thousand dollars."

Said amendment was disagreed to.

Mr. Perry offered the following amendment to said bill.

Amend House Bill 50 by striking out the words "said board," in line 9 of the printed bill, and insert in lieu thereof the words "the Fiscal Court."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen
Peter Ampler
H. F. S. Bailey
G. G. Brashear
Frank J. Brown
W. H. Brown
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
H. C. Cummins
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Jacob Metzger
Harry J. Meyers
Claude D. Minor
G. B. Moores
John T. Murphy
B. F. McAtee
W. J. McMurray
L. T. Neat
C. B. Nichols
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—82

There voted in the negative—

W. R. Lyon —1

Resolved that the title thereof be as aforesaid.

Mr. Wm. Duffy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers moved that House Bill 2 be made the special order for tomorrow morning at 10:30 o'clock.

Said motion was agreed to.

Mr. Oliver moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, JANUARY 28, 1916.

The House was opened with prayer by the Rev. Rodger T. Nooe, Pastor of the Christian Church of Frankfort, Kentucky.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Minor moved that when this House adjourn today it be to meet again on Monday.

Said motion was agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. T. R. Jones:

H. B. 338. An act entitled an act to amend article VIa., section 4426a, subsection 8, of the Kentucky Statutes, relating to county high schools and being the same as chapter 10, section 125 of school laws of Kentucky.

To the Committee on Education.

By Same:

H. B. 339. An act to amend and re-enact section 1358, Kentucky Statutes, edition 1915, relating to the concealment or sale of mortgaged personal property.

To the Committee on Criminal Law.

By Mr. Ampler:

H. B. 340. An act creating the office of county detective in all counties wherein a city of the second class is located, prescribing his duties and fixing his compensation.

To the Committee on Municipalities.

By Mr. Greene:

H. B. 341. An act providing the method by which certain offices may be filled by appointment.

To the Committee on Public Offices.

By Mr. Grimes:

H. B. 342. An act to authorize justice of the peace to assess property for taxation and abolish the county assessor's office.

To the Committee on Public Offices.

By Mr. Hobbs (By Request):

H. B. 343. An act to provide for a course of practical instruction on the causes and prevention of sickness and of blindness to be given in the State University and in the Kentucky Normal and Industrial Institute and in each of the State Normal Schools.

To the Committee on State University and Normal Schools.

By Same:

H. B. 344. An act prescribing the qualifications for judges of the county court.

To the Committee on Municipalities.

By Mr. Nichols:

H. B. 345. An act to change the name of State University of Kentucky, Lexington, Kentucky, to University of Kentucky.

To the Committee on State University and Normal Schools.

By Same:

H. B. 346. An act to repeal section 7 of an act entitled "An act to change the name of the Agricultural and Mechanical College of Kentucky to State University of Kentucky, Lexington, Kentucky, and to amend parts of the laws with reference to said college and to make the whole apply to said university," approved March 16, 1908.

To the Committee on State University and Normal Schools.

By Same:

H. B. 347. An act enabling fiscal courts and boards of education to appropriate money for extension work in agriculture and home economics in their respective counties.

To the Committee on Agriculture.

By Same:

H. B. 348. An act to provide funds with which the Commonwealth of Kentucky may meet and comply with the terms and conditions of an act of Congress, approved May 8, 1914, commonly called the Smith-Lever Bill, and repealing all laws inconsistent with this act and especially an act entitled 'An act for the benefit of the department of agriculture, labor and statistics; appropriating money thereto and enlarging the power thereof,' approved March 11, 1912, and section 13 of an act entitled 'An act creating a State Board of Agriculture, Forestry and Immigration, specifying the duties thereof and appropriating money therefor,'" approved March 21, 1906.

To the Committee on Agriculture.

By Mr. Dover:

H. B. 349. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

To the Committee on Circuit Courts.

By Mr. Wilson:

H. B. 350. An act to prohibit the exportation of veal calves.

To the Committee on Agriculture.

By Same:

H. B. 351. An act to protect the peace of religious assemblages.

To the Committee on Criminal Law.

By Mr. Crowe:

H. B. 352. An act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, and defining the powers of the Railroad Commission as it relates to certain other public utilities and public service corporations, and prescribing penalties for violations of the provisions of this act.

To the Committee on Public Utilities.

By Mr. Barrett:

H. B. 353. An act to make bicycle stealing a felony.

To the Committee on Criminal Law.

By Same:

H. B. 354. An act to amend section 2739 Kentucky Statutes relating to motor vehicles.

To the Committee on Public Utilities.

Mr. Meyers indicated the time for taking up the special order of the day, namely, 10:30 A. M.

The House took up for consideration the special order of the day, namely:

H. B. 2. An act to promote pure elections, primaries and conventions, and to prevent corrupt practice in the same; to limit the expenses of candidates; to prescribe the duties of candidates and providing penalties and remedies for violations and declaring void, under certain conditions, elections in which these provisions or any of them have been violated.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any public service corporation engaged in business in this State to contribute any money, service or other thing of value, directly or indirectly, toward the nomination or election of any State, county, city, town, municipal or district officer.

§ 2. It shall be unlawful for any corporation, person, company or association to contribute money, service or other thing of value towards the nomination or election of any State, county, city, town or municipal officer, if such officer in his official capacity is required by law to perform any

duties peculiar to such corporation, persons, company or association not common to the general public, or if it is the duty of such officer to supervise, regulate or control, in any way or manner, the affairs of such corporation, company, person or association, or if such officer has any duty to perform in assessing the property of any such corporation, person, company or association for taxation.

§ 3. It shall be unlawful for any corporation, person, company or individual to coerce or direct any employe to vote for any party, or person who may be a candidate for any office in this State or for the nomination for any office, or to threaten to discharge such employe if he votes for any candidate, or if such employe is discharged on account of his exercise of suffrage, or to give out, or circulate any statement or report that such employes are expected or have been requested or directed by such corporation, person, individual or company, or by any one acting for such or any such to vote for any person, group or persons, or measure.

§ 4. Any corporation, person, company or association, or any officer or agent acting for such or any such violating either of the preceding sections, shall be deemed guilty of a misdemeanor, and upon conviction, may be fined in any sum not exceeding $10,000.00, or imprisoned not exceeding one year.

§ 5. It shall be unlawful for any person who is a candidate for nomination or election for any State, county, city, town, municipal or district office to expend, pay, promise, loan, or become pecuniarily liable in any way for any money or other valuable thing, or to promise or agree to appoint any person to office, or to secure his appointment, to influence voters in his behalf, or permit the same to be used or done with his knowledge or consent by anyone for him, either directly or indirectly, in any election, primary or nominating

convention, but no expenditure made by any candidate, or others for him, for the purpose of employing and paying clerks and stenographers, or for printing and advertising, or in securing suitable halls for public speaking or suitable headquarters, stationery and stamps, or actual traveling expenses, shall be deemed illegal.

§ 6. It shall be unlawful for any corporation, company, or association to expend, pay, promise, loan or become pecuniarily liable in any way for money, or other valuable thing in behalf of any candidate for office at any election, primary or nominating convention held in this State, and any corporation, company or association, or any officer or agent of such corporation, company or association violating the provisions of this section, or any candidate violating the provisions of the preceding section of this act shall be subject to a fine of $1,000, or imprisonment not exceeding one year, or may be both so fined and imprisoned.

§ 7. Any person who shall be a candidate before any caucus or convention, or at any primary election, or any final election for any State, city, county, town, municipal or district office shall, on the fifteenth day before the date for making such nomination, and also on the fifteenth day before the final election, make out and file with the officer with whom his nomination papers must be filed in case of a primary, and with the chairman of the board authorized to issue the certificate of election after a final election, or with the Secretary of State when nomination is made by caucus or convention for officers of the State at large, or for districts larger than one county, and with the county clerk in all other cases, a statement in writing, which statement shall be subscribed and sworn to by such candidate and which shall set forth in detail all sums of money contributed, disbursed, expended or promised by him, and to the best of his knowledge and belief, by any person in his behalf, wholly or in part, endeavor-

ing to secure his nomination or election to such office or place; and also sums of money contributed, disbursed, expended or promised by him in support, and in connection with the nomination or election of any other persons at such election, primary or nominating convention, and showing the dates when, the person to whom, and the purpose for which, all such sums were paid, expended or promised. Said statement shall set forth in detail each item of contribution or expenditure, and he shall before some officer qualified to administer oaths subscribe and file with said statement the following oath:

"I do solemnly swear (or affirm) that the statement herewith filed, embraces all money spent by me, or in my behalf, with my knowledge, by any person for me; that I have, neither directly nor indirectly, arranged for or encouraged the spending of any money other than as shown in my said statement; that I have not repaid any money so spent or claimed to have been so spent, and that I will not do so, and that I have not violated any of the provisions of this act in letter or in spirit."

§ 8. Any campaign committee having charge of the candidacy of any person or group of persons shall make out a statement in the same manner and form as that provided for the candidates in this act, and it shall be verified by the chairman and secretary of the campaign committee, or persons acting in the capacity of chairman or secretary of such committees, and said statement shall be filed with the same officer with whom candidates are required to file their statements.

§ 9. Every candidate, as previously mentioned in this act, and every campaign committee, shall, within thirty days after the election, caucus, convention or primary election held to fill any office or place for which such person may be a candidate, make out and file with the officers above mentioned

a statement subscribed and sworn to as indicated in previous sections, which statement shall set forth in detail all sums of money contributed, disbursed, expended or promised by him, and to the best of his knowledge and belief, by any person in his behalf, wholly or in part, endeavoring to secure his nomination or election to said office, and also all sums of money contributed, disbursed, expended or promised by him in support and in connection with the nomination or election of any other person at such election, primary, caucus or nominating convention showing the dates when, persons to whom and the purpose for which all such sums were paid, expended or promised; provided, however, that the statement provided for in this section shall relate to matters occurring after the filing of the first statement provided for in this act.

§ 10. No officer or board authorized by law to issue certificates of election shall issue any such certificates to any person until the statements required by this act shall have been made and filed as required.

§ 11. Any person failing to comply with the above provisions by failing to file the statement or statements as required, shall be liable to a fine not exceeding $500.00, which may be recovered by indictment or by penal action.

§ 12. No person shall be permitted to qualify as an elective officer until he shall have filed the statements as provided by this act, and no officer shall receive any salary or emolument for any period prior to the filing of such statements.

§ 13. Said statements when filed as required by this act shall at all times be open to public inspection, and copies thereof may be obtained by any person desiring same.

§ 14. In any contest over the election of any officer mentioned in this act, it may be alleged in the pleadings that the provisions of this act have been violated by the candidate or by others in his behalf with his knowledge, and if it so appears upon the trial of said contest, then said election shall be declared void, unless it also appears that one of the parties to the contest received a plurality of the votes cast and did not violate the provisions of this act.

§ 15. The provisions of this act shall apply to the nomination and election of members of the General Assembly.

§ 16. No candidate for Governor in a primary election or before a convention in this State, shall expend exceeding $10,000.00 including that expended in his behalf by others, and this sum shall not be exceeded in the final election; no other candidate for office from the State-at-large shall expend, or have expended in his behalf together exceeding $5,000.00 in a primary election or before a convention, and this sum shall not be exceeded in the final election.

§ 17. No candidate for Railroad Commissioner in a primary election or before a convention, shall expend, or have expended for him together, exceeding $3,000.00, and this sum shall not be exceeded in the final election; no candidate for Judge of the Court of Appeals in a primary election or before a convention, shall expend, or have expended for him together, exceeding $3,000.00 and this sum shall not be exceeded in the final election.

§ 18. No candidate for Circuit Judge in a primary election or before a convention, shall expend or have expended for him together, exceeding $2,500.00, and this sum shall not be exceeded in the final election, and the provisions of this section shall apply to candidates for Commonwealth's Attorney.

§ 19. No candidate for a county office in a county having a city of the first class, in a primary election or before a convention, shall expend or have expended for him together, exceeding $2,500.00 and this sum shall not be exceeded in the final election; the amount shall be limited to $2,000.00 in counties having cities of the second class, to $1,500.00 in counties having cities of the third class, and $1,600.00 in all other counties, and the provisions as to candidates in counties having cities of the first class shall apply to all other counties, except as to amount expended.

§ 20. No candidate for representative in the General Assembly in a primary, or before a convention, shall expend or have expended for him together, exceeding $500.00, and this sum shall not be exceeded in the final election; no candidate for State Senator in a primary or before a convention shall expend or have expended for him together, exceeding $1,000.00 and this sum shall not be exceeded in the final election.

§ 21. No candidate for any other office in this State in a primary or before a convention or caucus shall expend or have expended for him together, exceeding $500.00, and the sum shall not be exceeded in the final election.

§ 22. Any person violating any provision of this act where no other penalty is provided shall be subject to a fine of not less than $100.00 nor more than $1,000.00.

§ 23. The statement of any person testifying in any case pending under the provisions of this act shall not be used against him in any prosecutions for civil proceeding, and it shall not require the evidence of more than one witness to convict in prosecutions under this act.

§ 24. The grand jury in each county in this State is given full power to investigate any violation of this act, and

to that end may compel any corporation, company or association to produce all books, correspondence or papers which may show or tend to show any violation of this act, and may compel any officer, agent, employe, custodian or other person having the possession of any such books, correspondence or papers, or other evidence material to the matter under investigation to appear and testify, and any such person refusing to obey any such summons from the grand jury or refusing to appear and testify, shall be proceeded against for contempt. The Railroad Commission is given full power to investigate any alleged violation of any railroad doing business or organized under the laws of this State, and said commission is given full power to compel witnesses to appear before it and produce any books, correspondence or papers or other material evidence which may show or tend to show a violation of this act, and any officer, agent, employe, custodian or person in possession of such records, who wilfully refuses to obey the orders of said commission, shall be deemed guilty of a misdemeanor, and upon conviction fined in any sum not exceeding $1,000.00 or imprisonment not exceeding one year.

Mr. Vance moved that the session of today be extended until the matter under consideration be disposed of.

Said motion was agreed to.

Mr. W M.. Webb moved that the Houes do now resolve itself into a Committee of the Whole House for the purpose of taking up and considering House Bill No. 2, section by section.

Said motion was agreed to.

The Speaker of the House designated the Hon. H. J. Meyers as Chairman of the Committee of the Whole House, and vacated the chair.

The Committee of the Whole was then convened, Mr. Meyers presiding as chairman.

After a time the Speaker of the House resumed the chair.

Mr. Meyers, chairman of the Committee of the Whole, reported that said committee had taken up and considered House Bill No. 2, section by section, and moved that said committee be dissolved.

Said motion was agreed to.

The House was then in order.

Mr. Greene moved that all the amendments to be proposed to said bill be printed.

Said motion was disagreed to.

Mr. Oliver moved that said bill be taken up and considered section by section.

Said motion was disagreed to.

The Committee on Suffrage and Elections, to which said House Bill No. 2 had been referred, proposed the following amendment to said bill, viz.:

We, the committee to whom was referred House Bill No. 2, relating to corrupt practices, beg to report same recommended favorably with the following amendments: Amend by striking out all of sections 1, 2, 3, 4, 5 and 6, and substituting therefor sections 1, 2 and 3 as follows:

Sec. 1. It shall be unlawful for any public service corporation, engaged in business in this State, to contribute,

either directly or indirectly, any money, service or other thing of value, towards the nomination or election of any State, county, city, town, municipal or district officer.

It shall be unlawful for any corporation, person, company or association, to contribute, either directly or indirectly, money, service or other thing of value towards the nomination or election of any State, county, city, town, district or municipal officer; if any such officer, in his official capacity, is required by law to perform any duties peculiar to such corporation, person, company or association not common to the general public, or if it is the duty of such officer to supervise, regulate or control in any way or manner, the affairs of such corporation, company, person or association, or if such officer has any duty to perform in assessing the property of any such corporation, person, company or association for taxation. No officer or agent of any public service corporation, or any other corporation in the class above mentioned, and no officer or agent of any company or association, and no agent for any person in the class above mentioned, shall contribute, either directly or indirectly, for or on behalf of any such corporation, company, association or person in money, service or other thing of value towards the nomination or election of any State, county, city, town, district or municipal officer. No attorney shall accept employment and compensation from any corporation mentioned above, or from any person, company or association mentioned above; with the understanding or agreement, either verbal, written or implied, that he will contribute all or any part of such compensation so received, either directly or indirectly, towards the nomination or election of any State, county, city, town, district or municipal officer. No corporation, company, association or person mentioned above shall pay, promise, loan or become pecuniarily liable in any way for any money, or other valuable thing in behalf of any candidate for office at any election, primary or nominating con-

vention held in this State, and no officer or agent of any such corporation, association or company shall, on behalf of such corporation, company, or association, pay, promise, loan or become pecuniarily liable in any way for money, or other valuable thing, in behalf of any candidate for office at any election, primary or nominating convention held in this State. Any corporation, company, association or person, or any officer or agent of any such corporation, company or association, or any agent for any person, who shall be guilty of any violation of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding $10,000.00 or imprisoned in the county jail not exceeding one year, and any attorney violating the provisions of this section shall be subject to a like penalty, and in addition he shall be debarred from the practice of law in this State, and the judgment of conviction shall so declare.

It shall be unlawful for any corporation not falling within the above mentioned classes to contribute, either directly or indirectly, any money, service or other thing of value towards the nomination or election of any State, county, city, town, municipal or district officer; or to expend, pay, promise, loan or become pecuniarily liable in any way for any money, or other valuable thing in behalf of any candidate for office at any election, primary or nominating convention held in this State; and no officer or agent of any such corporation shall for, and in behalf of, such corporation, contribute, either directly or indirectly, any money, service, or other thing of value, towards the nominating or election of any State, county, city, town, municipal or district officer, and no attorney shall accept employment and compensation from such corporation with the understanding or agreement, either direct or implied, that he will contribute to any such candidate, or in his behalf, all, or any part, of such compensation. Any such corporation or any officer or agent of such

corporation violating the provisions of this paragraph shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding $1,000.00, or imprisoned not exceeding one year, and any attorney violating the provisions of this paragraph shall be subject to the same penalties, and in addition shall be debarred from the practice of law, and the judgment of conviction shall so declare.

Sec. 2. It shall be unlawful for any corporation, person, company or individual to coerce, or direct, any employe to vote for any party, or person who may be a candidate for any office, in this State, or for any person who may be a candidate for a nomination for any office, or to threaten to discharge such employe if he votes for any candidate; or if such employe is discharged on account of his exercise of suffrage, or to give out, or circulate any statement or report that such employes are expected, or have been requested or directed by such corporation, person, individual or company, or by any one acting for such, or any such, to vote for any person, group of persons, or measure, and any person, corporation or company violating this section, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed $5,000.00 or imprisoned in the county jail not to exceed six months or both.

Sec. 3. It shall be unlawful for any person who is a candidate for nomination or election for any State, county, city, town, municipal or district office to expend, pay, promise, loan, or become pecuniarily liable in any way for money, or other thing of value, or to promise or agree to appoint any person to office, or to secure his appointment in order to influence voters in his behalf; or permit the same to be used or done with his knowledge or consent by anyone for him, either directly or indirectly, in any election, primary or nominating convention, but no expenditure made by any candidate, or others for him, for the purpose of employing and

paying clerks, and stenographers or for printing and advertising, or in securing suitable halls for public speaking or suitable headquarters, stationery and stamps, or actual traveling expenses, shall be deemed illegal, and any person, corporation, or company violating this section shall be fined in any sum not to exceed $5,000.00 or be imprisoned in the county jail not to exceed six months, or both. And further amend by changing the numbers of sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 respectively, of the act to sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 respectively.

Mr. Kauffman proposed the following amendment to the amendment proposed by the Committee on Suffrage and Elections to said bill, viz.:

Amend section three of the amendment by striking out the following language beginning with: "or to promise or agree to appoint any person to office or to secure his appointment in order to influence voters in his behalf or permit the same to be used or done with his knowledge or consent by any one for him."

Said amendment proposed by Mr. Kauffman to the amendment proposed by the Committee on Suffrage and Elections was agreed to.

Said amendment proposed by the Committee on Suffrage and Elections as amended was then agreed to.

Mr. Crowe proposed the following amendment to said bill:

Amend section 7 of House Bill No. 2 by striking from line 5 on page three the words: "make out and" between the word "election" and the word "file," and further amend the

same section by inserting in line thirteen, after the word "money" and before the word "contributed," the words "or other thing of value."

Said amendment was agreed to.

Mr. Crowe proposed the following amendment to said bill:

Amend section 10 of House Bill No. 2 by inserting in line 2, after the word "election" the words "or nomination."

Said amendment was agreed to.

Mr. Crowe offered the following amendment to said bill:

Amend section 12 of House Bill No. 2 by inserting at the beginning of line 2 and before the word "until" the words "or receive a certificate of nomination."

Said amendment was agreed to.

Mr. Oliver proposed the following amendment to said bill:

Amend section 16 by striking out the figures $10,000.00 in line 2 and inserting in lieu thereof $5,000.00 and by striking out the figures $5,000.00 in line 6 and inserting in lieu thereof $3,000.00.

Said amendment was disagreed to.

Mr. Oliver proposed the following amendment to said bill:

Amend section 18 by striking out the figures "$2,500.00" and inserting in lieu thereof "$1,000.00."

The yeas and nays being called for on said amendment by Messrs. Oliver and W. M. Webb, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	J. S. Hall	Harry F. Purnell
Chas. D. Bratcher	L. B. Hamilton	Thomas Spurrier
G. G. Brashear	W. B. Harvey	Ed. D. Stone
W. H. Brown	R. B. Jackson	R. C. Tartar
Henry A. Cannon	W. H. Jones	Robt. R. Treadway
R. A. Cook	W. R. Lyon	J. W. Wall
A. S. Cooper	Jacob Metzger	W. M. Webb
Thomas A. Dover	G. B. Moores	Frank M. White
Wm. Gearheart	E. B. McGlone	M. O. Wilson
Frank C. Greene	L. T. Neat	E. S. Wood
C. H. Grimes	A. J. Oliver	—32

Those who voted in the negative were—

Peter Ampler	W. C. G. Hobbs	C. B. Nichols
H. F. S. Bailey	A. B. Holland	S. Mazyck O'Brien
Geo. B. Barrett	David J. Howard	William A. Perry
Frank J. Brown	J. M. Howell	Geo. L. Pickett
Glover H. Cary	Chas. L. Hunter	A. B. Pierratt
S. B. Coleman	R.B.Hutchcraft,Jr.	W. A. Price
R. T. Crowe	T. R. Jones	J. D. Pumphrey
James S. Cruse	H. Clay Kauffman	Richard Radcliffe
H. C. Cummins	Wm. J. Kuh	D. S. Richardson
Jas. R. Dorman	W. T. Lasley	John T. Roach
W. E. Dowling	M. E. Lee	Joe Schneider
William Duffy	Dr. J. E. Lilly	L. M. Smith
Odie Duncan	Dr. C. W. Mathers	E. D. Smith
J. R. Durham	Harry J. Meyers	Claude B. Smith
J. M. Elliston	Claude D. Minor	John W. Snider
T. T. Gardner	B. F. McAtee	Adam Spahn
W. G. Gooch	W. J. McMurray	D. B. Tyra

J. Wood Vance J. D. Wills E. G. Young
John S. Webb Louis E. Yewell —56

So said amendment was disagreed to.

Mr. Oliver proposed the following amendment to said bill:

Amend section 19 by striking out the figures "$1,600.00" in line 6 and inserting in lieu thereof the figures "$500.00."

Said amendment was disagreed to.

Mr. Oliver proposed the following amendment to said bill:

Amend section 20 by striking out the figures "$500.00" in line 3 and inesrting in lieu thereof the figures "$250.00."

Mr. Roach offered the following amendment to the said amendment proposed by Mr. Oliver, by way of a substitute therefor, viz.:

Amend third line of section 20 by striking out "$500.00" and inserting in lieu thereof "$350.00."

Said amendment by way of substitute for the amendment offered by Mr. Oliver was agreed to.

The said amendment proposed by Mr. Oliver as amended by way of substitute by Mr. Roach was agreed to.

Mr. Oliver offered the following amendment to said bill:

Amend House Bill 2 by striking out section 23 of this act.

Said amendment was disagreed to.

Mr. Wall offered the following amendment to said bill:

Amend section 23 of House Bill 2 by striking from line 3 the word "not."

Mr. Crowe moved the previous question.

Said motion was agreed to.

The yeas and nays being called for by Messrs. Crowe and O'Brien on said amendment offered by Mr. Wall, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	A. S. Cooper	Dr. C. W. Mathers
G. G. Brashear	C. H. Grimes	A. J. Oliver
Henry A. Cannon	J. S. Hall	J. W. Wall

—9

Those who voted in the negative were—

H. F. S. Bailey	Wm. Gearheart	W. T. Lasley
Frank J. Brown	W. G. Gooch	M. E. Lee
W. H. Brown	L. B. Hamilton	Dr. J. E. Lilly
Glover H. Cary	W. B. Harvey	W. R. Lyon
R. A. Cook	W. C. G. Hobbs	Jacob Metzger
S. B. Coleman	David J. Howard	Harry J. Meyers
R. T. Crowe	J. M. Howell	Claude D. Minor
James S. Cruse	Chas. L. Hunter	G. B. Moores
Thomas A. Dover	R.B.Hutchcraft,Jr.	John T. Murphy
W. E. Dowling	R. B. Jackson	B. F. McAtee
William Dufty	J. M. Johnson	E. B. McGlone
Odie Duncan	T. R. Jones	W. J. McMurray
J. R. Durham	W. H. Jones	L. T. Neat
J. M. Elliston	H. Clay Kauffman	C. B. Nichols
T. T. Gardner	Wm. J. Kuh	S. Mazyck O'Brien

William A. Perry	Lewis Ryans	Robt. R. Treadway
Geo. L. Pickett	Joe Schneider	D. B. Tyra
A. B. Pieratt	L. M. Smith	J. Wood Vance
W. A. Price	E. D. Smith	John S. Webb
J. D. Pumphrey	Claude B. Smith	J. D. Wills
Harry P. Purnell	John W. Snider	M. O. Wilson
Richard Radcliffe	Adam Spahn	E. S. Wood
D. S. Richardson	Ed. D. Stone	Louis E. Yewell
John T. Roach	R. C. Tartar	E. G. Young

—72

So said amendment was disagreed to.

Mr. Oliver moved the previous question on said bill and all pending amendments.

The Speaker stated shall the main question be now put?

The question being taken thereon it was decided in the affirmative.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with and the same being engrossed it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	G. G. Brashear	Glover H. Cary
H. F. S. Bailey	Frank J. Brown	R. A. Cook
Geo. B. Barrett	W. H. Brown	S. B. Coleman

R. T. Crowe	H. Clay Kauffman	Richard Radcliffe
James S. Cruse	Wm. J. Kuh	D. S. Richardson
H. C. Cummins	W. T. Lasley	John T. Roach
Jas. R. Dorman	M. E. Lee	Lewis Ryans
W. E. Dowling	Dr. J. E. Lilly	Joe Schneider
William Duffy	W. R. Lyon	L. M. Smith
Odie Duncan	Dr. C. W. Mathers	E. D. Smith
J. R. Durham	Jacob Metzger	Claude B. Smith
J. M. Elliston	Harry J. Meyers	John W. Snider
T. T. Gardner	Claude D. Minor	Adam Spahn
Wm. Gearheart	G. B. Moores	Thomas Spurrier
W. G. Gooch	John T. Murphy	Ed. D. Stone
L. B. Hamilton	B. F. McAtee	R. C. Tartar
W. B. Harvey	E. B. McGlone	Robt. R. Treadway
W. C. G. Hobbs	W. J. McMurray	D. B. Tyra
A. B. Holland	L. T. Neat	J. Wood Vance
David J. Howard	C. B. Nichols	John S. Webb
J. M. Howell	S. Mazyck O'Brien	Frank M. White
Chas. L. Hunter	William A. Perry	J. D. Wills
R.B.Hutchcraft,Jr.	Geo. L. Pickett	M. O. Wilson
R. B. Jackson	A. B. Pieratt	E. S. Wood
J. M. Johnson	W. A. Price	Louis E. Yewell
T. R. Jones	J. D. Pumphrey	E. G. Young
W. H. Jones	Harry P. Purnell	—80

Those who voted in the negative were—

Henry A. Cannon	Frank C. Greene	A. J. Oliver
A. S. Cooper	C. H. Grimes	J. W. Wall
Thomas A. Dover	J. S. Hall	—8

Resolved that the title thereof be as aforesaid.

Mr. Vance moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 47. An act providing for the payment of claims arising from loss on account of the slaughter of animals having the foot and mouth disease, and making an appropriation therefor.

To the Committee on Appropriations.

S. B. 23. An act to amend section 201 of the Constitution of the Commonwealth of Kentucky.

To the Committee on Constitutional Amendments.

Messrs. Spahn and Wilson announced to the House that they were paired on all questions coming before the House on Monday, January 31, next.

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned, in accordance with an order previously entered herein, to meet again on Monday, January 31, 1916, at 1 o'clock P. M.

MONDAY, JANUARY 31, 1916.

The House was opened with prayed by the Rev. Father O'Dwyer of the Roman Catholic Church of Frankfort, Kentucky.

The reading of the Journal of Friday, January 28th, 1916, was dispensed with.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Purnell:

H. B. 355. An act to amend section 2739g, paragraph 2 of Kentucky Statutes relating to registration by owners of motor vehicles and certificates of registration.

To the Committee on Public Utilities.

By Mr. White:

H. B. 356. An act to extend the regular April and August terms of the circuit court in the county of Monroe to eighteen judicial days.

To the Committee on Circuit Courts.

By Mr. Durham:

H. B. 357. An act to revise, amend and re-enact section 4306, Kentucky Statutes, Carroll's edition, 1915, giving fiscal courts control over all county roads, with power to

provide rules and regulations therefor, and providing penalties for violations thereof.

To the Committee on Public Roads and Highways.

By Mr. Lilly:

H. B. 358. An act to amend section 93 of the Civil Code.

To the Committee on Codes of Practice.

By Mr. Harvey:

H. B. 359. An act to amend section 2156 of the Kentucky Statutes, under chapter 67, entitled "Idiots and Lunatics."

To the Committee on Charitable Institutions.

By Mr. Nichols:

H. B. 360. An act to control the sale of diseased plants, to prevent the dissemination of noxious insects and fungi, and appropriating money to carry out its provisions.

To the Committee on Appropriations.

By Mr. Gardner (By Request):

H. B. 361. An act to provide loans on farm land at low rate of interest and for payment thereof.

To Committee on Kentucky Statutes.

By Mr. Hutchcraft:

H. B. 362. An act to amend section 1401 of the Kentucky Statutes, Carroll's edition, relating to descent and distribution.

To the Committee on Kentucky Statutes.

By Mr. J. S. Webb:

H. B. 363. An act to provide for the burning or destroying of old election stub books.

To the Committee on Suffrage and Elections.

By Mr. McMurray:

H. B. 364. An act to amend section 965, Kentucky Statutes, as amended by act approved March 22, 1910, changing time and terms for the session of courts for the First Judicial District.

To the Committee on Circuit Courts.

By Same:

H. B. 365. An act to amend and re-enact section 1243, Kentucky Statutes, Carroll's 1915 edition, relating to petit larceny, fixing the penalty therefor, at a fine, or imprisonment, or both in the discretion of the court or jury.

To the Committee on Criminal Law.

By Mr. Bailey:

H. B. 366. An act to amend paragraph 3 of article 8 of section 2729 of Carroll's 1915 edition of the Kentucky Statutes.

To the Committee on Mines and Mining.

By Mr. Minor:

H. B. 367. An act to amend section 2426, Kentucky Statutes (Carroll's 1915 edition) relating to who shall receive copies of the Kentucky Reports.

To the Committee on Court of Appeals.

By Mr. Ampler:

H. B. 368. An act to amend section 30 of an act entitled "An act defining public roads; providing for their establishment, regulation, use and maintenance and creating the office of county road engineer and prescribing the duties thereof," approved March 23rd, 1914.

To the Committee on Public Roads and Highways.

The notice to take evidence, depositions, briefs of counsel filed and made a part of the record of the House of Representatives, in the contest proceeding of S. C. Dobbs versus W. C. Allen, upon which record the House Contest Committee based the majority and minority report in said proceedings, are as follows, namely:

(A) SUBPOENA.

Commonwealth of Kentucky. Subpoena.

To the Sheriff or any Constable of Clinton County:

You are commanded to summons W. W. Hopkins, M. A. Maupin, John Hopkins, P. A. Beaty, E. M. Bertram, C. S. Long, Derius Hopkins, Frank Barger, Mose Tuggle, W. E. Ferguson, M. L. Bandy, Dock Shelley, E. Bertram, J. A.

Flowers, Blain Campbell, Jesse Ewing, to appear before me on the 16th day of December, 1915, to testify on behalf of the contestant in a contest now pending before the Legislature of Kentucky, wherein S. C. Dobbs is contestant, and W. C. Allen, contestee.

Given under my hand this the 14th day of December, 1915.

J. A. FLOWER, C. C. C. C.

Executed on the within names in full except Frank Barger, this Dec. 16, 1915.

D. R. SLOAN, C. C. C.,
By T. J. DICKEN, D. C.

(B) NOTICE TO TAKE DEPOSITIONS.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - Contestant,
vs.
W. C. ALLEN, - - - Contestee.
NOTICE.

The Contestee, W. C. Allen, is notified that the contestant, S. C. Dobbs, will on Thursday, Dec. 16, 1915, in the town of Albany, Clinton county, Kentucky, take the depositions of W. M. Hopkins, M. A. Maupin, John Maupin, P. A. Beatty, E. M. Bertram, C. S. Long, Dennis Hopkins, Frank Barger, Mose Tuggle, W. E. Ferguson, M. L. Bandy, Dock Shelley, E. Bertram, J. A. Flowers, Blain Campbell, and Derius Hopkins, to be read as evidence in his behalf on the trial of the above styled contest before the General Assembly, to be held in the city of Frankfort, beginning on the ..... day of January, 1916, and will continue the taking from day to day until through.

S. C. DOBBS, Contestant,
By O. B. BERTRAM, Attorney.

Examiner's fees for depositions, 1 day	$ 3.00
J. A. Flowers, 1 subpoena	.30
T. J. Decken, serving	3.75
Transcribing note	5.00
J. A. Flowers, copy of records	3.00
J. A. Flowers, witness, 1 day	1.00
E. M. Bertram, witness, 1 day	1.00
E. Bertram, witness, 1 day	1.00
W. E. Ferguson, witness, 1 day	1.00
J. C. Ewing, witness, 1 day	1.00
W. W. Hopkins, witness, 1 day	1.00
D. F. Shelley, witness, 1 day	1.00
L. M. Bandy, witness, 1 day	1.00
C. S. Long, witness, 1 day	1.00
	$24.05

Executed on the within named W. C. Allen by delivering to him a true copy of the within notice this 14th day of December, A. D. 1915.

J. C. LOVELACE,
Jailor Clinton Co., Ky.

Received through the U. S. mail. The package when delivered to me was sealed, properly indorsed, and is filed, this January 5, 1916.

ELI BERRY, Chief Clerk,
House of Representatives.

(C) DEPOSITION FOR CONTESTANT.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - Contestant,
vs.
W. C. ALLEN, - - - Contestee.
} Depositions for Contestant.

The deposition of J. A. Flowers taken at the law office of S. G. Smith, in the town of Albany, Clinton county, Kentucky, pursuant to notice, on the 16th day of December, 1915, to be read as evidence in the behalf of the contestant in the above styled action. The witness being duly sworn deposed as follows:

Q. State your age, residence and occupation?

A. I am thirty-three years old, reside in Albany, Ky., and am circuit clerk.

Q. How long have you held the position of circuit clerk in Clinton county?

A. Seven years.

Q. In the action of W. C. Allen as plaintiff, against E. M. Bertram, &c., defendants, filed in the Clinton Circuit Court, state whether or not there were ever filed in said action an amended petition?

A. No, sir.

Q. State what actions were filed by Mr. Allen and when, giving the style of each action?

A. The first case was W. C. Allen vs. E. Bertram, &c., filed on Nov. 5th, 1915, and W. C. Allen vs. E. M. Bertram, &c., filed on Nov. 6th, 1915.

Q. What orders were made by B. J. Bethurum, Judge, on the 8th, if any, as to the motion heard at Monticello, Ky., on Nov. 8, 1915, and if you said he made any order or orders, will you please file a copy attest of all orders and pleadings, motions and demurrers filed before Bethurum at Monticello, Ky.?

A. There were a motion and demurrer filed and orders overruling each and I file herewith a copy of the order overruling the motion and demurrer and a copy of the demurrer.

Q. Will you file a copy of the judgment entered in these cases as a part of your deposition, and also the order of Judge Shackelford Miller dissolving the injunction granted by Judge Bethurum?

A. Yes, sir.

Q. When the case was appealed, state whether or not you mailed to the Clerk of the Court of Appeals the petition in both cases and if not, why not?

A. I mailed the case of W. C. Allen vs. E. M. Bertram, &c., first, and after that I mailed the other case.

Cross-examined by S. G. Smith.

Q. Why did you not mail both cases at once, or did you have any authority to mail either or both, what authority did you have?

A. I do not think that I had any, as I had no orders to that effect.

Q. Did you know that any appeal had been taken at all, except what you had been told?

A. I found a notice in the papers that had been served upon W. C. Allen in the case of E. M. Bertram, &c., and I mailed the papers in that case to the Clerk of the Court of Appeals.

Q. Was you ever asked for a copy of either case by anybody?

A. No, sir, I phoned O. B. Bertram that I would mail them in as I did not have time to copy.

Q. Was there any order or any paper in either case made by the Judge of the Clinton Circuit Court, filing an amended petition in either case or making any paper in either case, or either case an amended petition, to either case?

A. No sir, there was not. I do find an order overruling a demurrer to a petition and amended petition.

Q. How long after you mailed the papers in the case of W. C. Allen vs. E. M. Bertram, &c., until you mailed the papers in the case of W. C. Allen vs. W. E. Ferguson, &c., and by what authority did you mail them?

A. About three days. The Clerk of the Court of Appeals called me over the phone and said there had been a rule issued against me to mail them in at once and I did so.

Q. Did you know at that time the last case had been appealed to the Court of Appeals, and if so, how did you know it?

A. No, sir, I did not at that time, but did a little later. After I had mailed the last papers I saw J. C. Lovelace, Jailor of Clinton county, with a notice to serve on W. C. Allen in the case of W. C. Allen vs. W. E. Ferguson, &c.

Q. Then did you send the papers in the case of W. C. Allen vs. W. E. Ferguson, &c., before W. C. Allen had been served with a notice of an appeal in that case?

A. I had mailed them several days before and several

days before I saw the notice, or before it came to the jailor's hands.

Q. I will ask you if you had any knowledge of any notice whatever to be served on Allen in that case before you mailed the papers?

A. I had none.

By agreement of parties signature of witness is waived.

Also the deposition of E. M. Bertram, taken at the same time and place and for the same purpose stated in the caption, the witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation?

A. I am thirty-one years old today; I reside in Clinton county, Ky., in Hays precinct No. 4, and am a farmer.

Q. What position did you hold, if any, at the November election, 1915?

A. I was clerk.

Q. State whether or not you wrote the name of W. C. Allen under the Republican device as a candidate for Representative at said election, and if you say you did, tell how many ballots you wrote the name of Mr. Allen on, and whether or not the voter was sworn before or after you wrote the name of W. C. Allen, as to whether or not he could read or write?

A. Yes, sir, I must have written it as many as 15 times, might have been more or might have been less. The voter was not sworn at any time, I just took their word for it.

Q. Were these counted as votes having been received by W. C. Allen and certified to the county election commissioners.

A. Yes, sir, all that was stamped with a stencil.

Cross-examined by S. G. Smith.

Q. Knowing that there were several votes cast for Allen, where his name was written, by marking with a lead pencil in the square instead of using the regular stencil, then can you say now that any of the votes cast for Allen by using a lead pencil, after his written name, were the names you wrote yourself?

A. No, I could not tell, as I was keeping tally and the other fellow was calling the vote.

Q. You were a Democratic election officer, were you not?

A. Yes, sir.

Q. At any time during that election day, did anybody propose to vote who could not write his name and failed to vote on account of not being aided to vote?

A. No, sir. We assisted every one that asked us to.

Q. Did the election officers inform the voters that where he could not read and write, that he would have to be sworn?

A. No, I do not think that we did.

Q. About how many votes were cast for Allen by writ-

ing his name and voting for him for Representative in other columns than the Republican column on the ballots and which were not counted for him when the polls were closed?

A. There were some, but I could not tell how many.

Q. Did you leave off and not count the votes that was voted for him in other columns other than the Republican column? Because they were marked with a lead pencil or not?

A. No, sir, and I do not know whether they were marked with a lead pencil or not.

By agreement of parties signature of witness was waived.

Also the deposition of E. Bertram, taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation.

A. I am forty-seven years old; Albany, Ky.; lawyer.

Q. State whether or not you were one of the election commissioners in and for Clinton county, Ky., in November, 1915, and if you say you were, state whether or not you helped to tabulate the vote cast in said county at the November election, 1915, for the candidates for Representative and when?

A. I was the Democratic member of the board. I did on the day fixed by law for comparing the returns.

Q. Can you state the number of votes shown by the

tabulation made by the board of election commissioners, at that time as having been cast for W. C. Allen for Representative from the Thirty-sixth Legislative District, and also for S. C. Dobbs; if so, state what the vote was as cast in Clinton county?

A. On that day we tabulated the vote in the Representative race in Clinton county, but because of an injunction served on us, we did not certify same. The tabulation showed that S. C. Dobbs had received 330 votes in Clinton county and W. C. Allen had received for Representative, 755 votes in Clinton county.

Q. Did you at that time make a tabulation of said vote on a separate piece of paper; if so, will you file that as a part of your deposition and mark it ex. "A."

A. Yes, sir, I made a tabulation of the entire vote of the county and will file it and mark it "A."

Cross-examined by S. G. Smith.

Q. Had you made this tabulation you refer to before the injunction was served on you?

A. Most of it had been made, a portion was made after the injunction was served.

Q. The temporary restraining the election commissioners from canvassing and certifying the vote for representative in Clinton county, on that day, did it not?

A. Yes, sir, and no record was made of the vote in the race for representative on the records of the board of election commissioners for Clinton county, nor any certificate of same made.

Q. But you did proceed to violate the order of injunction and make a complete tabulation of the returns for representative in Clinton county on that day, did you not?

A. No, sir, we neither canvassed nor certified the vote in the race for representative.

Q. Then how did you get the complete tabulation that you refer to in your direct examination and which you filed as a part of your deposition and marked "A."

A. We got it from the official returns.

Q. You just proceeded to copy and add it up, but don't call it canvassing the returns?

A. We had canvassed from five to seven precincts before the injunction had been served; after that we merely took the report of the election officers and added to it. All the seals were broken, if they had ever been sealed, when they were delivered to us by the clerk.

Q. In canvassing the returns, did you begin at number one precinct and go up?

A. Yes, sir, we begun at No. 1 and had counted 1, 2, 3, 4, 5, 6, 7 and 8 when the injunction was served.

Q. The two last numbered precincts in the county, Nos. 9 and 10 were in the suit of W. C. Allen against W. C. Ferguson, &c., were they not?

A. I see from the petition that Nos. 9 and 10 are included in the suit.

Q. When you received the ballots, you received them

from the county court clerk, did you not? They were in his custody.

A. They were in the county clerk's office. We did not receive them from the clerk, but from his deputy.

Q. Did the returns show any discrepancy from the information received by certificates, telephone messages, etc., from the election officers on the night after the election, so as to show any tampering therewith, so as to change the true returns as delivered to the clerk?

A. If there was any mutilation or evidence of tampering, I did not discover it. I only saw one stub book, I tabulated.

Q. I will get you to state, if you are not an attorney as well as commissioner, and did you not inform people generally and the officers of the election as far as you saw them, that a person who could not write, had no right to vote in that election?

A. No, I did not tell them that they had no right to vote in that election. Nor did I discuss it but with one election officer and he come to me and asked me about it.

Q. To refresh your memory, on the morning of the election, did you not go in the court house before the election officers of No. 1 precinct and tell said officers that a person who could not write, could not vote?

A. No, sir; if I had a conversation with them, then I do not recall it; if I said anything I merely give them my opinion when called on for it.

Q. Did you give it as your opinion that they had no right to vote in that election?

A. No, sir, I might have said something about the representative race.

Q. Did you give it as your opinion that a person who could not write could not vote for representative in that election?

A. No.

Q. Did you write the clerks of the election in Wayne county or send them any information to the effect that a person who could not write could not vote or for the clerks to not write any person's name?

A. No, sir, I did not; I do not know now and did not know then the name of a single election officer of Wayne county. Neither did I write to any one either in or out of the county.

Signature of witness waived by agreement of parties.

Also the deposition of W. E. Ferguson, taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, stated as follows:

Q. State your age, residence and occupation?

A. I am thirty-eight years old; reside in Clinton county, Ky., in Precinct No. 8, and am a farmer.

Q. Were you one of the election officers in your precinct at the regular November election, 1915?

A. I was one of the Judges. Democratic Judge.

Q. State whether or not the clerk of the election wrote the name of W. C. Allen on any of the ballots as a candidate for representative for any of the voters before the ballot was delivered to the voter and without the voter being sworn; if so, how many did he write the name of Allen for?

A. Yes, sir, he wrote several, but I can not state how many. I would say the clerk wrote the name of W. C. Allen on as many as a dozen and may be as many as twenty.

Q. Was the voter sworn at any time as to whether or not he could read and write?

A. No, sir.

Q. Were the ballots counted for W. C. Allen where the clerk had written his name on the ballot?

A. Yes, sir.

Cross-examined by S. G. Smith for Contestee.

Q. Were there any votes cast for W. C. Allen by writing his name or his name being written in that precinct and not counted for him; if so, how many?

A. There was none; we counted all for him where they had stamped after his name. This count was made under the order of Judge Bethurum.

Q. Is it not a fact that there was several votes cast for him for representative where his name was written in other columns than the Republican column and not counted for him?

A. There was eight votes cast for him in other columns than the Republican column and these were not counted for him for W. C. Allen, W. A. Allen and Bill Allen. In this answer I have reference to the count as made on the day of election.

Q. Were any of the voters whose name was written, informed by any of the officers of the election that it would be necessary for them to be sworn before they could have the name of W. C. Allen on their ballots?

A. No, not that I know of.

Q. Were any of them requested to be sworn?

A. No, sir.

Signature of witness waived by agreement of parties.

Also the deposition of J. C. Ewing taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation?

A. I am thirty-nine years old; reside in Albany, Ky., and am a teacher.

Q. What voting precinct do you live in?

A. No. One.

Q. What position did you hold at the last November 3, 1915 election, if any?

A. I was clerk.

Q. State whether or not as clerk you wrote the name of W. C. Allen on any of the official ballots for the voters before it was delivered to the voter and if so, on how many ballots did you write his name?

A. I can not say how many.

Q. Can you give an idea as to how many ballots you wrote the name of W. C. Allen?

A. I do not think that I could.

Q. Did you write it on a few or many.

A. It was several.

Q. Was any of the voters sworn before or after you wrote the name of W. C. Allen on the ballot?

A. No, sir.

Cross-examined by S. G. Smith.

Q. Was any voter requested to be sworn who requested the name of W. C. Allen written on his ballot?

A. I think not.

Q. Was you informed on that day, that a person who could not write, could not vote or instructed to that effect?

A. No, sir; I do not think we were.

Q. Were you instructed that any person who could not write, could not vote for Allen?

A. We were told that a man who could not write, that I must write Allen's name if requested by the voter.

Signature of witness waived by agreement of parties.

Also the deposition of W. W. Hopkins taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation.

A. I am sixty-one years old tomorrow; reside in Clinton county, and am a farmer.

Q. What precinct do you live in and how long have you lived in that precinct?

A. No. One; I have lived in it for the last twenty-seven years.

Q. Were you an election officer at the regular November election, 1915?

A. I was the Republican Judge.

Q. State whether or not the clerk of the election wrote the name of W. C. Allen on the official ballot for any of the voters and if so about how many ballots did he write the name of W. C. Allen on?

A. He wrote the name of W. C. Allen on the ballot when the voter requested it. He wrote the name of W. C. Allen on 15 or 20.

Q. Were any of the voters sworn as to whether or

not he could read or write or was so disabled that he could not see how to vote?

A. There was none of them sworn; there was one or two said they could not see. Might have been more than that, could not say.

Cross-examined by S. G. Smith.

Q. Also the deposition of D. F. Shelley taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation.

A. I am fifty-three years old; reside in Clinton county, Ky., in precinct No. 9, and am a farmer.

Q. Were you an election officer in your precinct at the last regular November election, 1915?

A. Yes, sir. I was the Democratic Judge.

Q. Did the clerk in your precinct write the name of W. C. Allen on any of the official ballots of the voters; if so, about how many?

A. Yes, he wrote W. C. Allen's name on about 8.

Q. Were the voters sworn before W. C. Allen's name was written on his ballot or after it was written?

A. They were not sworn at all.

Cross-examined by S. G. Smith.

Q. Were any of the voters informed or requested to be sworn by any of the election officers?

A. They were not.

Q. How many votes were cast in that precinct after the written name of W. C. Allen for representative and not counted by the election officers.

A. There were two that were not counted, one of them was J. C. Allen; I do not remember what Allen the other name was, it was stenciled up under another device.

Signature of witness waived by agreement of parties.

Also the deposition of L. M. Bandy taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, stated as follows:

Q. State your age, residence and occupation.

A. I am fifty-one years old; Clinton county, Ky., in voting precinct No. 10, and am a farmer.

Q. Were you an election officer at the last regular November election, 1915, in your precinct; if so, what position did you hold?

A. I was the Sheriff, Democrat.

Q. Did the clerk in your precinct write the name of W. C. Allen on any of the ballots for the voters, without the voter being sworn; if so, about how many did he write the name of W. C. Allen on?

A. Yes, he wrote the name when they could not write it themselves. There were none of the voters sworn at any time, except one who was sworn as to whether or not he had lived in the precinct long enough to vote. He must have wrote the name of W. C. Allen on at least a dozen and I guess more than that.

Cross-examined by S. G. Smith.

Q. Did the officers of the election inform any of the voters who could not write that they should be sworn or request them to be sworn?

A. No, sir.

Q. How many votes were cast in that precinct after the written name of W. C. Allen on the ballots for representative and not counted for him by the officers at the close of the polls?

A. I do not remember just how many there was; I knew at the time but can not recall.

Q. Was there as many as fifteen or twenty.

A. I do not think that there were that many.

Q. About how many.

A. It seems to me like that there were 5 or 6, but I can not say.

Signature of witness waived by agreement of parties.

Also the deposition of J. S. Maupin taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation.

A. I am fifty-three years old; reside in Clinton county, Ky., and am a farmer.

Q. What voting precinct do you live in?

A. No. 3.

Q. Were you an officer of election in your precinct at the last regular November election, 1915; if so, what position did you hold?

A. I was the Democratic Judge.

Q. State whether or not the clerk of election in your precinct wrote the name of W. C. Allen on the official ballots for any of the voters; if so, about how many ballots did he write the name of W. C. Allen on?

A. He wrote the name of W. C. Allen on a few. I don't think that he wrote it on over 6 or 8.

Q. Were any of the voters from whom he wrote the name of W. C. Allen on their ballot, sworn at any time as to whether or not they could read or write or as to any other disability?

A. No, sir.

Cross-examined by S. G. Smith.

Q. Were any voters in that precinct informed that they should be sworn by the officers or requested by them to be sworn?

A. No, sir.

Q. How many votes were cast in that precinct, after the written name of W. C. Allen for representative on the official ballots at said election and not counted for him§

A. None.

Signature of witness waived by agreement of parties.

Also the deposition of C. S. Long taken at the same time and place and for the same purpose stated in the caption. The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation?

A. I am thirty-one years old; reside in Clinton county, and a farmer.

Q. What voting precinct do you live in?

A. No. 5.

Q. Were you an officer at the November election, 1915, in your precinct?

A. I was sheriff of the election.

Q. State whether or not the clerk of election in that precinct wrote the name of W. C. Allen on the official ballot before it was delivered to the vote and if so, about how many did he write the name of W. C. Allen on?

A. He wrote the name of W. C. Allen on some; about 7 or 8, might be more.

Q. Were any of the voters sworn for whom the clerk

wrote the name of W. C. Allen on their ballots before or after it was written?

A. No, sir.

Cross-examined by S. G. Smith.

Q. Were any of the voters for whom names were written informed that they ought to be sworn or requested to be sworn by the officers of the election?

A. No, sir.

Q. Did any of such voters refuse to be sworn?

A. No, sir.

Q. How many votes were cast in that precinct at said election after the written name of W. C. Allen for representative on said official ballot and not counted for him for said office at the close of the polls?

A. There were 16.

Re-examined by O. B. Bertram.

Q. Why were these 16 ballots not counted at that time?

A. They were not in the Republican column.

Q. What devices were they under?

A. They were scattered all over the ballot, some in the Progressive, some in the Prohibition and some in the Democratic column. There was two or three of the 16 where the name was written "Bill Allen and one "Will Allen."

Signature of witness waived by agreement.

Certificate waived:

O. B. BERTRAM,
Atty. for Contestant.
S. G. SMITH,
Atty. for Contestee.

(D) NOTICE TO TAKE DEPOSITIONS.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - Contestant,
vs.
W. C. ALLEN, - - - Contestee.
} Notice.

The contestee, W. C. Allen, is hereby notified that the contestant, S. C. Dobbs, will, on Friday, November 26, 1915, in the town of Monticello, Wayne county, Kentucky, take the depositions of sundry witnesses, to be read as evidence in his behalf in the above styled contest before the House of Representatives or the committee appointed by the House to hear said contest, at the session of the General Assembly, to be held in the city of Frankfort, beginning on the ..... day of January, 1916, and will continue the taking from time to time until through.

S. C. DOBBS, Contestant,
By O. B. BERTRAM, Attorney.

Served on the within named W. C. Allen by delivering to him a copy of this; this the 24th day of November, 1915.

J. C. LOVELACE,
Jailor of Clinton Co., Ky.

Received through the U. S. mail. The package when

delivered to me was sealed, properly indorsed and this notice is filed this January 5, 1916.

ELI BERRY, Chief Clerk,
House of Representatives.

(E) DEPOSITIONS FOR CONTESTANT.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - Contestant,
vs.
W. C. ALLEN, - - - Contestee.
} Deposition for Contestant.

Pursuant to notice, the deposition of S. C. Dobbs, contestant, was taken at the law office of O. B. Bertram, in the town of Monticello, Wayne county, Kentucky, on the 26th day of November, 1915. The witness, being duly sworn, deposed as follows:

Direct Examination.

By O. B. Bertram.

Q. State your age, residence and occupation?

A. Forty-eight years old; reside in Monticello; occupation, merchant.

Q. Were you a candidate at the regular November election held on November 2, 1915; if so, what were you a candidate for, Mr. Dobbs?

A. Representative from the 36th Legislative District of Kentucky.

Q. Under what device, if any, was your name placed upon the ballot?

A. Under the Democratic device, the rooster.

Q. State whether or not you had been nominated by the Democratic party of the 36th Legislative District of Kentucky, as a candidate for the office of representative from the 36th Legislative District, at the August primary, 1915?

A. I was, and received the certificate.

Q. State whether or not, Mr. Dobbs, your name had been certified to the county clerks of Clinton and Wayne counties, by the Secretary of State, as the Democratic nominee for representative from the 36th District, for the purpose of having your name placed on the official ballot of the November election.

A. It was.

Q. What counties, Mr. Dobbs, compose the 36th Legislative District of Kentucky?

A. Wayne and Clinton counties.

Q. Can you state the number of votes, as shown by the tabulation of the election commissioners in Wayne county, that you received for the office of representative at the November election, held on November 2, 1915; if so, state what that vote was?

A. 1,254 in Wayne county. I can't state what it was in Clinton.

Q. Can you state what the tabulation of the vote of Wayne county, in the race for representative, also that W. C. Allen received, as made and tabulated by the election commissioners of Wayne county; if so, state what that tabula-

tion shows as to the number of votes received by W. C. Allen?

A. 790.

Q. How long, Mr. Dobbs, had you been a citizen of the State of Kentucky and of the 36th Legislative District of Kentucky, at the time you were nominated in the August primary, for the office of representative in the General Assembly of Kentucky, from the 36th Legislative District?

A. About twelve years.

Q. At the time of the November election, Nov. 2, 1915, you were more than twenty-four years of age?

A. Yes, sir.

Q. And you had resided in the county of Wayne, which is one of the counties composing the 36th Legislative District, for more than two years prior to the November election, 1915, had you not, Mr. Dobbs?

A. Yes, sir.

Q. And you had resided in the State of Kentucky for more than two years prior to the November election, 1915, had you not?

A. Yes, sir.

Q. Were you made a party in any way to the suit instituted by W. C. Allen vs. E. Bertram, C. P. Huff and Blain Campbell, as election commissioners of Clinton county, and the election officers of various precincts in said counties wherein the plaintiff, W. C. Allen, the contestee in this contest, sought to have the election officers, after they had can-

vassed the vote as cast in their respective precincts, and certified the same, open the ballot boxes and a recount made, or have any notice of the pendency of this action until the day Judge Bethurum granted the mandamus, directing the officers to reassemble and open the ballot boxes and make a recount?

A. I was not a party and had no notice whatever.

Cross-examination by J. C. Davis, Atty. for Contestee,

Q. State whether you were present in the court room at the time Judge B. J. Bethurum, of the 28th Judicial District of Kentucky, rendered his opinion granting an injunction mentioned by you in your direct examination?

A. I was.

Q. State how long before this it had been that you had had actual knowledge of the pendency of said suit praying for the said injunction?

A. Not until I heard the decision.

Q. You mean to say then that you had had no knowledge whatever of the pendency of said action and just happened to be in the court house at the time said Judge rendered his opinion granting the said injunction prayed for in said action?

A. I heard some rumor of something being contended for, on the street, and walked into the court room just about five minutes before the decision was rendered.

Q. Do you remember, and can you state now, any party

or parties that you heard talking about the suit for an injunction mentioned above?

A. I couldn't call to mind. Somebody spoke to me about it at the court house gate.

Q. To refresh your recollection, I will ask you if you had not been informed of the action and its nature, and had not been to the office of your attorney in Monticello, Kentucky, and was advised with him about the matter before the time you went to the court house and while there heard the opinion handed down by Judge Bethurum, as mentioned in your direct examination herein?

A. I had not advised with my attorney in regard to the case. My attorney, Mr. Bertram, had been out of the city and had just returned on that day.

Q. Then you mean to say that the reason you had not advised with your attorney, Mr. O. B. Bertram, was because he was absent from the city?

A. I mean to say I had not advised with him, and he was absent from the city, but I knew the nature of no case to advise about.

Q. I notice in your notice to the contestee, W. C. Allen, herein, that some of your reasons for contesting his right to a seat in the House of Representatives from the 36th Legislative District of Kentucky, at the next session of the General Assembly, are because certain votes cast for him at the recent November election, 1915, were not cast in the Republican column provided on the ballots for said election. I will now ask you to please state whether or not the name of W. C. Allen appeared in any column of any party on any of the ballots for said election?

A. It did not, so far as I know.

Q. I will ask you to please state, if you know, why said Allen's name did not appear upon the ballots printed for the use of the voter in casting their votes at said election?

A. Because he had not lawfully filed with the Secretary of State his certificate, to get his name on the ballot.

Q. I will further ask you, whether or not, you had, or caused to be done, anything in Monticello, or Frankfort to prevent the name of said W. C. Allen, contestee herein, from appearing on the ballot to be used by the voters at the aforesaid election as your opponent in that election for the office of representative from the 36th Legislative District of Kentucky, in the next General Assembly of Kentucky, to be held in Frankfort, beginning on the ..... day of January, 1916?

A. I did nothing or caused nothing to be done in Monticello, but I procured an injunction to enjoin the Secretary of State from certifying his name, which was made permanent by the Court of Appeals.

Q. State whether you know how the contestee, W. C. Allen sent, or conveyed, his certificate of election to the Secretary of State, at Frankfort, Kentucky?

A. I don't know how he conveyed it.

Q. State when you had the first knowledge that the contestee here, W. C. Allen, had forwarded his said certificate of nomination to the said Secretary in Frankfort?

A. I could not state where I got the first information, but it was from talk on the street the night I understood it was sent.

Q. Will you please state, if you remember, who you heard talking about the fact that the contestee herein, W. C. Allen, had forwarded his certificate of nomination for the said office for said district, to said Secretary in Frankfort?

A. I don't remember who I heard first talking it; somebody that came in the store.

Q. State whether or not, after somebody, as you state, came into the store and informed you of the fact that W. C. Allen, contestee herein for a seat in the House of Representatives from the said district of Kentucky in the next session of the said General Assembly, you made any effort to find out whether the rumor you had just heard was true and if you say you had, where you went or to whom you talked to about the matter?

A. I made no effort on that night to find out.

Q. State if you please, when you next heard of the matter in question?

A. The next day I began to investigate.

Q. Will you please state to whom you talked or to whom you applied for further information about the matter in question of the following day, after you had heard that the contestee herein, W. C. Allen, had forwarded his certificate of nomination to said Secretary of State in Frankfort; that his name might be certified by said Secretary back to the county clerks of Clinton and Wayne, that said Allen's name might be placed upon the ballot to be prepared by them for the use of the voters in casting their right of suffrage at the said November election?

A. I talked to O. B. Bertram, my attorney, on the next day.

Q. State whether you made any inquiry to any of the postal authorities in Monticello if a letter addressed to the Secretary of State in Frankfort had left the postoffice in Monticello that morning?

A. I made no inquiry whatever.

Q. State whether or not one of your sons is an employee of the Government of the United States of America in the postoffice in Monticello?

A. He is clerk in the postoffice.

Redirect Examination, by O. B. Bertram.

Q. Mr. Davis asked you, Mr. Dobbs, if you had taken any steps to prevent the Secretary of State from certifying the name of W. C. Allen as the Republican nominee for representative from the 36th Legislative District of Kentucky. I will ask you if you took any step except to enjoin the Secretary of State from certifying the name of W. C. Allen as the Republican nominee from the 36th Legislative District of Kentucky, because Mr. Allen had not filed his certificate of nomination thirty days before the day on which the election was held. I will further ask you to state if this injunction was granted by Judge Stout, enjoining the Secretary of State from certifying the name and whether or not the case was immediately carried to the Court of Appeals and the Court of Appeals affirmed the judgment of the Franklin Circuit Court, and if you say that it was appealed and so affirmed, will you file as a part of your deposition, a copy of the judgment of the Court of Appeals?

A. Nothing except to enjoin the Secretary of State. An

injunction was granted by Judge Stout of the Franklin Circuit Court, which was immediately appealed to the Court of Appeals and the judgment of the lower court was affirmed, and judgment was made permanent. I will file a copy of the judgment.

Q. Will you obtain a certified copy of the tabulation of the vote received by you, and as received by W. C. Allen, in Wayne county, at the November election, 1915, for the office of representative from the 36th Legislative District, and file it as a part of your deposition?

A. I will.

Q. Will you obtain a copy of the certification as made by C. P. Huff and Blane Campbell, Election Commissioners of Clinton county, to the Board of Election Commissioners of Wayne county, and file it as a part of your deposition?

A. Yes, sir, I will, and mark it Exhibit "C."

STATE OF KENTUCKY,
COUNTY OF WAYNE } SCT.

Nov. 5, 1915.

We, G. P. Tate, O. B. Bertram and M. E. Marcum, duly authorized to canvass the returns of the County of Wayne, do certify that at an election held in said county on the 2nd day of November, 1915, the following votes were cast for the Offices *indicated.

For Representative, 36th District of Kentucky:

S. C. Dobbs received 1,254 votes.

W. C. Allen received 790 votes.

*Or on question indicated.

G. P. TATE,
O. B. BERTRAM,
M. E. MARCUM,
County Commissioners of Election.

Exhibit "B" with S. C. Dobbs' deposition.

STATE OF KENTUCKY, }
COUNTY OF WAYNE, } SCT.

I, J. C. Denny, Clerk of the County Court for the County and State aforesaid, certify that the certificate on the opposite side of this sheet is a correct tabulation of the number of votes received by S. C. Dobbs and W. C. Allen, respectfully in Wayne county and the same is a true copy of the records now on file in my office.

Given under my hand, this Nov. 26, 1915.

J. C. DENNEY, Clerk.

Exhibit "A" with S. C. Dobbs' deposition.

COURT OF APPEALS OF KENTUCKY.

October 22, 1915.

S. C. DOBBS, - - - - - - - - - - - - *Plaintiff,*

vs. Appeal from Franklin Circuit Court.

C. F. CRECELIUS, &C., - - - - - - - - - - - *Defendant.*

OPINION BY JUDGE TURNER—Overruling motion to dissolve injunction.

This is a motion made before me by the defendant, C. F. Crecelius, Secretary of State, to dissolve an injunction prohibiting him from certifying the name of W. C. Allen as Republican nominee in the Thirty-sixth Legislative District of this State, composed of the counties of Clinton and Wayne.

In the primary election held on the 7th of August, 1915, S. C. Dobbs was nominated by the Democrats for representative in that district and W. C. Allen by the Republicans, and they each received their certificates of nomination. On the 28th of September, 1915, Dobbs filed with the Secretary of State his certificate of nomination; on the 4th day of October, 1915, Allen filed with the same official his certificate of nomination.

This is an action by Dobbs against the Secretary of State and Allen seeking to enjoin the Secretary of State from certifying to the county clerks of Clinton and Wayne counties the name of W. C. Allen as the Republican for that office, and thereby authorizing the said county clerks to have his name printed on the official ballots to be used at the election on November 2nd, 1915.

Only two questions are presented: (1) Did Allen file his certificate of nomination with the Secretary of State within the time prescribed by law; and (2) Is the statute requiring the same to be filed not less than thirty days next before the day of the election mandatory, or is it merely directory, and has the Secretary of State the right, after the expiration of the time prescribed by statute, to receive and file in his office a certificate of nomination?

The primary election law, section 1550, Carroll's 1915 edition, Kentucky Statutes, subsection 26, after fixing the day upon which the county election commissioners shall

meet and canvass the returns, and after providing which returns shall be made to the county clerk, and which returns shall be made to the Secretary of State, then fixes the day upon which the State Board of Election Commissioners shall meet at the Capitol and canvass the State returns, and further provides:

"And after they have completed the tabulation and canvass of the returns of said primary nominating election they shall immediately certify to the same, and they shall issue to that candidate of each political party receiving the highest number of votes for the office for which he was a candidate, a certificate of nomination, which certificate shall, not less than thirty days next before the day on which the general November election is held, be filed in the office of the Secretary of State."

By the very terms of this statute the election day cannot be counted as one of the thirty days; the language "not less than thirty days next before the day" of election necessarily excludes the day itself. To require a thing to be done thirty days before the day of election means that it must be done thirty days before that day begins.

It has long been the rule in this State that where the time is to be computed from the act done, then the day on which it is done is to be included as a part of the time; but if it is to be from or after the day itself, the day must be excluded. See Newton v. Ogden, 126 Ky., 101, and the authorities there cited.

The question in that case was whether a local option election had been held "within thirty days next preceding or following" a regular election, and the court said:

"If the regular election in the meaning of the statute is

to be considered as an act done, then the day upon which it was done must be included. On the contrary, if it is to be regarded as a day or date, and not an act, then it must be excluded."

Manifestly the statute in question here requires the filing of the certificate thirty days before the day of the election, and not merely thirty days before the election. Counting the fourth day of October there were only twenty-nine days between that and the second of November, and it is therefore apparent that Allen's certificate of nomination was not filed in time.

The remaining question is whether the provision of the statute quoted is mandatory or only directory, and on this question there is little difficulty. In the case of Brody v. Hook, 135 Ky. 87, a provision in the statute requiring that a candidate should file his certificate fifteen days before the election was held to be mandatory, and that a candidate who had filed his certificate within fifteen days of the election had no right to have his name printed on the official ballot. A similar statute was held to be mandatory in Holton v. Center, 102 Ky. 119.

In giving the reason for declaring such a provision mandatory, this court in the case of Brody v. Hook, *supra,* said:

"We are of the opinion that the General Assembly enacted this mandatory provision requiring the certificates and petitions of nomination to be filed not less than fifteen days before the election, so as to give the clerk that much time to prepare and have the ballots printed and distributed among the polling places in the county before the day of the election, and without being annoyed by litigation by some one attempting to get some name on or off the ballots, and

without being importuned by candidates and their friends for that purpose."

The same reasoning applies to the statute in this case; the Secretary of State is required twenty days before the election to certify to the county clerks of the 120 counties in the State the names of not only the nominees of all the parties for State offices, but to certify to them the names of the candidates for district offices in all districts larger than a county; and it is apparent that it was the legislative purpose to give to the Secretary of State the time intervening between the time certificates of nomination are required to be filed with him and the time he is required to certify the same to the various county clerks, in which to make accurate and correct certificates.

Naturally the court is reluctant to deprive one of the right to have his name printed upon the official ballot so that his fellow citizens, if they so desire, may vote for him; but the provision of the statute quoted being mandatory there is no escape from it.

The motion to dissolve the injunction is overruled.

Chief Justice Miller, Judges Carroll, Hannah and Nunn sat with me in the hearing of this motion and concur in this opinion.

JAMES GARNETT, Atty. Genl.,
Frankfort, Ky.,
For Defendant.

O. B. BERTRAM, Monticello, Ky.,
For Plaintiff.

Exhibit "A" with S. C. Dobbs' deposition.

STATE OF KENTUCKY,
COUNTY OF CLINTON,

We, Blane Campbell, E. Bertram, the duly appointed election commissioners of Clinton and C. P. Huff, the other member, by virtue of his office as Sheriff of Clinton county, each of which have been duly qualified as election commissioners, met in the office of the county clerk. The following members being present to-wit: Blane Campbell and C. P. Huff, the other member being absent on account of sickness, do certify that at an election held in Clinton county on the 2d day of November, 1915, that the vote cast at said election for representative in this county, same being in the 36th Legislative District, are as follows:

For Representative:

S. C. Dobbs received 328 votes.

W. C. Allen received 796 votes.

Given under our hands as election commissioners for Clinton county, Kentucky, this November 11, 1915.

(Signed) BLAIN CAMPBELL,
C. P. HUFF.

STATE OF KENTUCKY,
COUNTY OF WAYNE,

I, O. B. Bertram, Democratic Election Commissioner in and for Wayne county, Kentucky, certify that the foregoing is a true copy of the certification made by C. P. Huff, and Blane Campbell, election commissioners in and for Clinton county, Kentucky, to the election commissioners in and for Wayne county, Kentucky, of the vote cast for representative in the 36th Legislative District of Kentucky, at the regular

November election, held in said district on the 2d day of November, 1915.

Given under my hand this November 30, 1915.

O. B. BERTRAM,
Democratic Election Com.
for Wayne County.

Exhibit "C" with S. C. Dobbs' deposition.

Met pursuant to order of adjournment.

The deposition of Sandy McKechnie, taken at the same time and place, and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence and occupation, Mr. McKechnie?

A. Thirty-six years old; residence, Monticello; farming.

Q. What voting precinct in Wayne county do you live in?

A. Elk Creek, No. 4.

Q. State whether or not you were one of the election officers at the regular November election held in that precinct on the 2d day of November, 1915, and if you say you were, tell what position you held?

A. Clerk.

Q. As clerk of the election, Mr. McKechnie, did you assist in tabulating the vote in the race for representative.

A. Yes, sir, I did.

Q. State whether or not, in tabulating that vote, you counted and certified as having been received by W. C. Allen, any votes where the voter had written the name of W. C. Allen under the Republican device as a candidate for representative and stenciled in the circle under the Republican device, and not in the square opposite the name of W. C. Allen as written on the ballot, and if you say you did, tell how many of these votes were so counted, and certified to by the election officers in that precinct?

A. Yes, we counted all that was under the log cabin, and I am not positive how many there was, but there must have been thirty or more that wasn't stenciled at the end of his name. Some were not written, W. C. Allen, were written Bill Allen.

Q. Do you mean now, Mr. McKechnie, that in counting the vote that was received by W. C. Allen, in No. 4 precinct in Wayne county, at the November election, 1915, that you counted for him thirty votes or more where his name had been written under the Republican device and in the blank space left for the candidate for Representative, where the voter had just stenciled in the circle under the device, and not in the square opposite the name of W. C. Allen or Bill Allen?

A. Yes, sir.

Q. I believe you say you counted for him a number of votes where the name was Bill Allen?

A. Yes, sir.

Cross-examination by J. C. Davis.

Last question objected to by attorney for contestee because question is not embraced in the grounds for contest herein.

Q. Mr. McKechnie, will you be positive in your statement as to the number of votes you say the election officers counted and certified to the election commissioners for Wayne county that you say was only voted in the circle under the device in the Republican column for the contestee, W. C. Allen in said election?

A. I couldn't say as to the exact number.

Q. Were there any votes cast for the contestee herein, W. C. Allen, on the ballots used in said election in any other column than that of the Republican column at said election.

A. Yes, sir. There was one in the Democratic and one in the Progressive.

Q. Were those two ballots counted for the contestee, W. C. Allen?

A. They were. They were stencilled at the end of their names.

Q. As clerk of said election, please state whether or not you refused to write the names of any voters in said election that presented themselves to vote for the contestee, W. C. Allen?

A. No, sir. I wrote the names that asked me to.

Redirect Examination by O. B. Bertram.

Q. In answer to Mr. Davis' question in regard to being positive as to the number of votes counted where the voter had just stencilled in the circle under the Republican device, I will ask you to state whether you will be positive whether there were as many as thirty of these votes counted for Mr. Allen?

A. Yes, sir, I will.

By agreement, signature of witness waived.

By agreement of parties the taking of depositions in the above styled case is adjourned until November 27, at nine o'clock A. M.

Met pursuant to order of adjournment.

The deposition of T. R. Kelsey, taken at the same place, on the 27th day of November, and for the same purpose as stated in the caption. The witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation, Mr. Kelsey.

A. Thirty-eight years old; farming, occupation; residence, Gap Creek.

Q. You mean by Gap Creek that that is your postoffice?

A. Yes, sir.

Q. Is that postoffice in Wayne county, Kentucky?

A. Yes, sir.

Q. Are you a citizen of Wayne county, Kentucky?

A. Yes, sir.

Q. Were you a citizen on the 2d day of November, 1915?

A. Yes, sir.

Q. What voting precinct in Wayne county do you vote in and reside in, Mr. Kelsey?

A. Powersburg, No. 8.

Q. State whether or not you acted as an officer of the election held in that precinct on the 2d day of November, 1915, and if so, what position you held?

A. Yes, sir, I was clerk of the election.

Q. As clerk of the election, did you or not, assist in counting the vote as cast in that precinct in the race for representative?

A. Yes, sir.

Q. In tabulating the vote in that precinct in the representative's race, in the 36th Legislative District, I will ask you to state whether or not you officers counted and certified for W. C. Allen, any votes, and if so, how many or about how many, where the name of W. C. Allen had been written under the Republican device in the blank space left for candidate for representative, where the voter had just made the mark with a stencil in the circle under the Republican device and had not made any cross mark with a stencil, or any mark of any kind, in the square opposite the name of W. C. Allen?

A. Yes, sir. About fifty.

Q. Did you, together with the other election officers, count any votes for W. C. Allen in that precinct where his name had been written under the Progressive or Prohibition device or any other device other than the Republican device, and for other offices than the office of representative.

A. Yes, sir.

Q. About how many of those votes were counted and certified by the election officers in that precinct for W. C. Allen for representative from the 36th Legislative District.

A. About fifteen.

Q. Well, now, Mr. Kelsey, were there any votes counted and certified from that precinct by the election officers as having been voted for W. C. Allen, when the name could not be made out on the ballot, telling who the voter intended to write on the ballot?

A. Yes, sir.

Q. How many votes were counted and certified as having been cast for Mr. Allen in that precinct, where you couldn't read the name the voter had undertaken to write on the ballot?

A. Well, so far as I remember there were about twenty that you couldn't tell what they were; what name was written there.

Q. Now these voters you have told about in the way they were marked, state whether or not they were all counted as being received by Mr. Allen, and so certified in the certificate they made out on the back of the stub book?

A. Yes, sir.

Q. And that was turned over to the proper authorities by you officers?

A. Yes, sir.

Cross-examination by J. C. Davis.

Q. Mr. Kelsey, with what political party do you usually affiliate?

A. The Democratic party.

Q. Mr. Kelsey, I will ask you to please state, as clerk of said election, whether or not you refused to write the names of voters who desired to vote for the said W. C. Allen, contestee herein?

A. Yes, sir, I did.

Q. Will you please state how many names you refused to write?

A. About twenty-five, I guess.

Q. You stated in your direct examination that the officers of your precinct in said election, counted a number of votes for W. C. Allen, contestee herein, that were voted for him for other offices other than that of representative. I will ask you now to please state why those votes were thus counted in this way?

A. Well, the officers claimed that it was a mistake of the voter, and that he meant it for Allen. I don't know what made the voter do it that way. The officer claimed that the voter meant that vote for W. C. Allen.

Q. Then you mean to state that the officers of said election in said precinct were satisfied with the intention of the voter to such an extent that they counted the said votes for the said Allen?

A. Yes, sir.

Q. State whether or not the name of W. C. Allen, contestee herein, appeared in the column of any party on that ballot in the general printing of it?

A. No, sir, I didn't see it anywhere.

Q. I will ask you, to refresh your recollection, that instead of refusing to write only the names of twenty-five voters desiring to vote for said W. C. Allen for representative of the 36th Legislative District of Kentucky in said election, that you, as clerk, refused to write the names of more than fifty voters?

A. I guess there were about twenty-five, I don't know exactly, for I didn't count them, but I estimated it about twenty-five that couldn't write and wanted me to write their names, and some of them that could write. I asked the other officers about it, and they said they believed it was right. I asked them if they wanted me to write the names. I told them to take a vote on it, and if they wanted it done, I would do it.

Q. Don't you really think that there were as many as fifty of such voters disfranchised of the right of suffrage in said election in said precinct by the reason of the fact that their names were not written in order that they might be able to vote for the said W. C. Allen, contestee herein?

A. No, sir, I don't.

Redirect Examination by O. B. Bertram.

Q. Were any of the parties who requested the name of W. C. Allen to be written on the ballot by you before the ballot was delivered to them for the purpose of voting, sworn as to whether or not they could read and write?

A. No, sir.

Q. Did any of those voters request to be sworn?

A. No, sir.

Q. Did the other officers or any of them seek to have you to write the name of W. C. Allen on the ballot under the Republican device?

A. No, sir.

Q. And is that the reason that you refused to write the name of Mr. Allen, because the other election officers didn't instruct you to do so?

A. Yes, sir.

Re-cross Examination.

Last question objected to by the attorney for the contestee, for the reason that the question asked the witness therein are not pertinent to the allegations in the notice herein of the contest.

Also the deposition of Ed Kinnett, taken at the same place on the 27th day of November, 1915, and for the same purpose stated in the caption. The witness first being duly sworn, deposes as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence, and occupation?

A. Fifty-one years of age; farming; Wayne county.

Q. What voting precinct in Wayne county do you live in?

A. Eadsville, No. 5.

Q. Did you reside in that precinct on the 2d day of November, 1915?

A. Yes, sir.

Q. State whether or not you were one of the officers of the general November election, 1915, in that precinct?

A. I was.

Q. What position did you hold?

A. I was judge.

Q. As judge of the election did you help count the ballots and votes as cast in that precinct in the race for representative from the 36th Legislative District?

A. I did.

Q. How many votes, Mr. Kinnett, did you officers certify that W. C. Allen had received in that precinct for representative?

A. Fourteen.

Q. Had the name of W. C. Allen been written on the ballots by the voter or by the clerk of the election?

A. I think probably the clerk wrote all except one or two, is the best of my recollection.

Q. You mean that the clerk, at the request of the voter, wrote the name of W. C. Allen on all of the ballots where they had been voted for and counted for Allen, or had the voter written the name on all except one or two?

A. The clerk wrote about four or five.

Q. You mean by the clerk writing four or five, that he wrote the name of W. C. Allen for four or five of the voters before the ballot was delivered to them to vote?

A. Yes, sir.

Q. Well, in the counting of that vote, Mr. Kinnett, how many, if any, had the voter stenciled in the circle under the Republican device and also in the square opposite the name of W. C. Allen as written on the ballot?

A. I don't think there were over two.

Q. Then do you mean to say, Mr. Kinnett, that the officers in your precinct, No. 5, counted for W. C. Allen twelve votes where the voter had stenciled in the circle under the Republican device and not in the square opposite the name of W. C. Allen on the ballot?

A. Yes, sir. I am not sure whether there was any stenciled there or not, opposite the name of W. C. Allen; not over two any way.

Q. Did the clerk in that precinct write the name of W. C. Allen for all the voters that requested him to do so?

A. I think so.

Cross-examination by J. C. Davis.

Q. Mr. Kinnett, will you please state what political party you ordinarily affiliate yourself with?

A. Democratic.

Q. And were you acting as the Democratic officer of that election that day?

A. Yes, sir.

Q. And, as one of the judges of said election, you counted the ballots so cast for the said W. C. Allen, contestee herein?

A. Yes, sir.

Q. You mean to say then by that that the intention of the party in casting his suffrage upon the ballot was so plain to the officers of the election that they could not be mistaken in the way that he intended to vote?

A. Yes, sir.

Also the deposition of L. C. Southerland, taken at the same place on the 27th day of November, 1915, and for the same purpose stated in the caption. The witness being duly sworn, deposes as follows:

Direct Examination by O. B. Bertram.

Q. Do you live in Wayne county, Mr. Southerland?

A. Yes, sir.

Q. What voting precinct do you live in?

A. Eadsville, No. 5.

Q. Did you reside in that precinct on the 2d day of November, 1915?

A. Yes, sir.

Q. State whether or not you held any position as election officer in that precinct in the November election on the 2d day of November, 1915, and if so, what position did you hold?

A. I was sheriff.

Q. As sheriff of the election, did you assist the other officers in counting the votes that had been cast in that precinct in the race for representative in the 36th District?

A. Yes, sir.

Q. Do you remember the number of votes you certified that W. C. Allen received in that precinct?

A. Fourteen.

Q. Just tell, Mr. Southerland, how the ballot was marked; what stencil marks were on the fourteen ballots?

A. All that I noticed were in the circle at the head of the ticket; I never seen any in the square opposite his name.

Q. Opposite his name, you mean the name of W. C. Allen?

A. Yes, sir.

Q. In tabulating that vote did you or not examine all the ballots?

A. Yes, sir. I think I seen every one of them, as well as I remember.

Cross-examination by J. C. Davis.

Q. Mr. Southerland, what political party do you usually affiliate yourself with?

A. Democratic.

Q. Did you examine the votes cast in the said election for the said W. C. Allen, contestee herein, particularly to see if they were marked opposite his written name?

A. I taken notice to it.

Q. Can you state now, positively, the number of votes that were marked opposite his name, and the number of votes that were not marked opposite his name by the stencil?

A. I can state that I never seen any that were marked opposite his name with a stencil.

Q. Were those votes so cast for the said W. C. Allen plain to the officers of the election in said precinct as to the intention of the voter?

A. I suppose that it was plain.

Q. You, as one of the officers of said election in said precinct, counted said votes so cast for the said W. C. Allen,

contestee herein, and certified the same to the election commissioners for Wayne county, as good and valid votes, did you not?

A. Yes, sir.

Also the deposition of Freeland Peircy, taken at the same place, on the 27th day of November, 1915, and for the same purpose as stated in the caption. The witness first being duly sworn, deposed as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence and occupation?

A. Sixty years old; farming, occupation; reside in Wayne county.

Q. What voting precinct in Wayne county do you live in, and did you live on the 2d day of November, 1915?

A. Slickford, No. 9.

Q. Were you an officer of the November election held in that precinct on the 2d day of November, 1915; if so, what position did you hold?

A. I was sheriff.

Q. As sheriff of the election did you assist in counting the votes that had been cast in that precinct in the race for representative from the 36th Legislative District?

A. Yes, sir.

Q. Now, in counting that vote, I will ask you to state whether or not the officers of that election counted for W. C. Allen any number of votes where there had just been a mark

or dot of any kind made upon the ballot and then a cross mark with a stencil or any cross mark made in the square opposite that dot or mark, and if so, about how many votes were counted and certified for Mr. Allen in that way?

A. There was no dot; they just marked in the square where they claimed Allen's name ought to have been. I don't recollect how many there was.

Q. In your best judgment, how many votes were counted for W. C. Allen where his name had not been written upon the ballot at all, and the voter just stenciled or made his mark in the square where his name ought to have been?

A. I can't tell. I never noticed how many.

Q. Were there as many as ten or fifteen?

A. There was twenty votes laid out; we first counted the straight votes where there was nothing wrong. I think there was twenty ballots, as near as I remember, that they claimed had voted for Allen; but some of them didn't have any name on them, and some were written under other devices. Some were just a dot made with a stencil opposite the place where they claimed Allen's name ought to have been written. I can't say whether there were as many as ten or fifteen. I guess there was about seven or eight, as well as I remember about it.

Q. State if you know why those were counted as votes having been received by Mr. Allen?

A. Well, I objected to it, but Aust Brown was an attorney and he claimed it was law to count them.

Q. Was he or not, the Republican inspector in that precinct?

A. Yes, sir.

Q. And contended with the officers that where the voter had stencilled in the square opposite where Allen's name ought to have been that it should be counted for him, and it was counted?

A. Yes, sir. Under other devices he claimed it was for Allen, too.

Cross-examination by J. C. Davis.

Q. Mr. Piercey, with what political party do you ordinarily affiliate yourself?

A. Democratic, all the time.

Q. Will you please state why, in your judgment, the votes you say were counted for the said W. C. Allen in your precinct at the recent November election should not have been counted for him?

A. Well, there was nothing to show; his name wasn't on it.

Q. How many votes were counted for him under other devices other than the Republican column?

A. The best I remember about it there was about twenty of them, where there was something wrong with them, that they laid out.

Q. State whether or not the clerk of the election in your precinct, No. 9, did or not refuse to write the name or names

of any voter or voters desiring to vote for the said W. C. Allen for representative from the 36th Legislative District at said election?

A. Yes, some of them wanted him to vote for them and he wouldn't do it.

Q. The question is, did the clerk refuse to write the name or names of any voter as an officer in said election in your precinct?

A. Well, I don't think the clerk would write the names.

Q. To make my question plain to you, I will ask you if the name of W. C. Allen appeared on the ballot in print at said election in your precinct?

A. I never seen it if it did.

Q. Then the question is, did the clerk of the election refuse to write the name of W. C. Allen, candidate for representative from the 36th Legislative District of Kentucky, for any voter or voters desiring to vote for the said Allen at said election in your precinct?

A. I think he did. I don't think he would write it for anybody. He might have written it for one or two right on the start.

Q. You mean to say then that the clerk of the election refused to write the name of said W. C. Allen for the voter who couldn't read and write the English language, and thereby deprived them from casting their suffrage for the said W. C. Allen at said election in your precinct?

A. Well, I think there was some asked for; some said they couldn't see.

Q. About how many votes did the clerk of the election refuse to write the name of W. C. Allen, contestee herein, for?

A. I couldn't tell how many asked him; there were more that asked him to vote for them than asked him to write the name.

Q. You mean to say then that all the parties in your precinct at said election that couldn't read and write didn't get to vote for the said W. C. Allen for the office of representative because of the fact that the clerk and other officers of the election refused to assist them in casting the right of suffrage?

A. Well, there was three or four that asked him to write or vote for them, and he wouldn't do it. Sometimes I think he made a dot in the square where Allen's name ought to have been for them to vote.

Q. But refused to write the name of Allen for the benefit of the voter who couldn't read or write the English language?

A. Yes, sir.

Redirect Examination by O. B. Bertram.

Q. With which party did the clerk of the election affiliate?

A. Republican.

Q. Did any of the voters for whom the clerk refused to write the name of W. C. Allen, swear or offer to swear that they couldn't read or write?

A. No, sir.

Also the deposition of T. J. Roberts, taken at the same place and for the same purpose as stated in the caption, on the 27th day of November, 1915. The witness first being duly sworn, deposes as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence, and occupation, Mr. Roberts?

A. Fifty years of age; Wayne county; farming.

Q. What voting precinct in Wayne county do you live in?

A. Sinking, No. 13.

Q. Did you live in that precinct on the 2d day of November, 1915?

A. Yes, sir.

Q. Did you act as an officer at the November election held in that precinct on the 2d day of November, 1915, and if so, what position did you hold?

A. The position of Judge.

Q. Now, in that precinct, at the recent November election, I will ask you to state whether or not the clerk of the election wrote the name of W. C. Allen under the Republican device as a candidate for representative from the 36th Legislative District of Kentucky, for any of the voters before the ballot was delivered to the voter by him to be stencilled and without the voter being sworn as to whether or

not he could read or write, and if so, about how many ballots did he write the name of W. C. Allen on?

A. The clerk wrote the names for all that asked him to; some of them could read and write, and probably a good many of them that couldn't. I would just have to guess at the number. I suppose it would be safe in saying forty or fifty. Sometimes they would say that he could write better than they could, and he wrote Mr. Allen's name a good many times. I heard him say that night that he guessed he had written it a hundred times.

(That part of the answer where the witness tells what the clerk of the election said to him about it, is objected to by the attorney for contestee.)

Q. Were any of the voters, for whom the name of W. C. Allen was written on the ballot, sworn as to whether or not they could read and write, before or after the name of W. C. Allen was written on their ballot?

A. No, sir; there wasn't any of them sworn.

Q. Were you personally acquainted with many of the voters for whom the name of W. C. Allen was written on the ballot?

A. I was personally acquainted with a good many of them.

Q. State whether or not any of them could read and write, to your personal knowledge?

A. Yes, some of them could.

Q. State whether or not there was few or several that you knew personally could read and write?

A. Several that I knew could read and write that the clerk wrote the name for them.

Q. Were there as many as twenty?

A. I think there was as many as twenty.

Cross-èxamination by J. C. Davis.

Q. With what political party, Mr. Roberts, do you usually affiliate?

A. Democratic party.

Q. Did you, as Democratic judge at said election in said precinct, or your associate judges, or any of the officers in your precinct at said election, inform the voter asking that the name of W. C. Allen, contestee herein, and being voted for at said election in said precinct, that they must be sworn to the fact that they could not read or write the English language, to enable the clerk to write the name of Allen for them at said election in said precinct?

A. No, sir. Didn't any of the officers inform them that they had to be sworn. There wasn't any of them sworn.

Q. All the votes so cast for the said W. C. Allen for representative from the 36th Legislative District of Kentucky in the next General Assembly were so plainly cast, were they not, that there could be no doubt in the minds of the election officers of said precinct as to whom the voter intended to vote for?

A. Well, they was all plain, except some had not stencilled in the circle opposite the name of Mr. Allen, but we counted it for we thought he had intended to vote for W. C. Allen, but it was not stencilled in the circle opposite his name.

Q. All the remaining so voting for said Allen at said time and place, were plainly indicated for whom they intended to vote?

A. Yes, sir.

Redirect Examination by O. B. Bertram.

Q. Who was clerk of the election in your precinct, Mr. Roberts, and with which political party does he affiliate?

A. Charles Vaughan; Republican party.

Adjourned over until two o'clock.

Met pursuant to order of adjournment and by agreement. The witness, Freeland Piercy, was put on the stand for further cross-examination.

Re-cross Examination by J. C. Davis.

Q. I will ask you, Mr. Piercy, if there was an agreement between the officers of the election in your precinct at the November election, 1915, wherein the officers agreed together with the clerk of said election, refusing to write the name of W. C. Allen, to be voted for by the voters in that precinct at said election, that any way in which the voter indicated on the ballot as casting it for the said W. C. Allen, would be taken and accepted by the officers in counting said ballots at the close of the election as though they had been plainly written and stencilled?

A. I never heard any such talk.

Q. You mean to say then that there was no agreement entered into by the officers?

A. Aust Brown tried to get something like that when they went to count the vote, but he said it was law to count it, and we ought not to throw them out. He claimed where there was any mark it would be counted for him.

Q. Then if there was an agreement between Mr. Brown, as inspector of the vote in that precinct and the other election officers about the matter I have just questioned you, you knew nothing about it?

A. I don't remember any such talk having been said.

Redirect Examination by O. B. Bertram.

Q. If there was any agreement made as indicated by Mr. Davis' question, you were no party, as an officer, to the agreement?

A. No, sir, I was not. It was not mentioned until right at the close of the election. He wanted to make an agreement that where there was anything after the polls had closed.

Q. He wanted to make an agreement after the polls had closed?

A. Yes, sir. I took the straight Democratic votes and held them, but the others, I didn't have anything to do with them.

Q. Twenty, I believe you say, of that character?

A. About twenty votes we laid out; I couldn't tell just what the number amounted to. I never counted to see just how many. I watched them count some where there was just a cross mark and no name written.

Q. You say there was something like ten of that kind?

A. Eight or ten. I didn't think they could count them and I just kept the straight Democratic votes.

November 29, 1915,

Nine o'clock, A. M.

Met pursuant to order of adjournment of November 27th.

The deposition of J. S. Hines, taken at the law office of O. B. Bertram, in the town of Monticello, Ky., on the 29th day of Nov., 1915, for the purpose as stated in the caption. The witness first being duly sworn, deposes as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence and occupation?

A. Sixty-seven years old; live in Mill Springs, Wayne county; am a farmer.

Q. What is the number of your voting precinct, Mr. Hines?

A. No. 15.

Q. Did you reside in precinct No. 15, of Wayne county, Kentucky, on the 2d day of November, 1915?

A. Yes, sir.

Q. Did you act as one of the officers at the November election?

A. Yes, sir. I was sheriff.

Q. As sheriff of the election did you assist in making the count of the vote cast in that precinct in the race for representative from the 36th Legislative District?

A. Yes, sir, I was present.

Q. I will ask you to state, Mr. Hines, if there was counted as having been received by W. C. Allen, in your precinct, any votes where the name of W. C. Allen had been written under the Republican device as a candidate for representative, either by the clerk or the voter, and the voter had stencilled or stamped the cross mark in the circle under the device, but did not stamp in the square opposite the name of W. C. Allen as written on the ballot?

A. I think there was. Bill West was inspector and after inspecting the ballots and dividing them up, I think there was some that voted under the device and I didn't examine them. I was doing something else while the clerk was making the tally. The judges made this agreement, to count all the votes where they thought it was the intention of the voter to vote for Allen.

Q. Did the clerk in that precinct write the name of W. C. Allen for any of the voters without the voter being sworn as to whether or not he could read and write?

A. I think he did. Yes, he wrote several names. The first contest came up over a negro. When he came up to

vote he wanted the name of W. C. Allen written and the officers disagreed. I took the law back and read to them, and I asked him if he could read and write. Said he could, but couldn't write W. C. Allen; then the clerk wrote it for him and wrote several others. I don't know how many. I didn't keep an account.

Cross-examination by J. C. Davis.

Q. Mr. Hines, I will ask you to please state with what political party you affiliate?

A. The Democratic party.

Q. I believe you stated in your direct examination that the judges of the election had agreed that they would count all votes for whomsoever cast, provided the ballot was so marked that the intention of the voter could not be mistaken.

A. Yes, sir; where they understood the intention.

Q. The idea of that agreement was it not to eliminate the petty technicalities of the law?

A. Yes, sir, that has generally been the plan at the Mill Springs precinct.

Q. It has been the custom there in previous elections in which you were an officer, to let the intention of the voter govern when they could understand it?

A. Yes, sir.

Q. You don't remember the number, if there were any, then who voted in the Republican column for W. C. Allen

for representative from the 36th Legislative District of Kentucky, but simply voted under the device?

A. Well, I don't remember. I think there were some, but I wasn't judge.

Q. You don't remember but one vote, the negro you mentioned in your direct examination, that was not sworn, for whom the clerk wrote the name of W. C. Allen?

A. I remember looking back and seeing him write some names, and I knew a couple of names that could read and write that told me he wrote the name for them. I just saw them from the door, but I don't remember now how many were voted that way; they were scattered about to some extent.

Also the deposition of W. I. West, taken on the 29th day of November, 1915, at the same place and for the same purpose as stated in the caption. The witness first being duly sworn, deposed as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence and occupation.

A. Thirty-seven years old; live at Mill Springs, Wayne county; am a farmer.

Q. What voting precinct do you live in in Wayne county?

A. No. 15.

Q. Did you reside in that precinct on the 2d day of November, 1915?

A. Yes, sir.

Q. Were you a voter in that precinct?

A. Yes, sir.

Q. How long have you lived in that precinct?

A. All my life; thirty-seven years.

Q. Did you take any part in any way with the holding of the election in that precinct on the 2d day of November, 1915?

A. I was inspector and challenger, for the Democratic party.

Q. State whether or not you were in the voting room most of the day during the time the vote was being taken?

A. I was there practically all the time.

Q. During the time you were in there, state whether or not the clerk of the election wrote the name of W. C. Allen on any of the ballots for the voter, before the ballot was delivered to the voter and without the voter being sworn as to whether or not he could read and write, and if so, state how many he wrote the name for that wasn't sworn, or about how many?

A. Well, he wrote the name for several; I couldn't state the exact number. I would think some place between twenty and thirty.

Q. Were you present and assisted in counting the vote after the poles were closed?

A. Yes, sir.

Q. State whether or not there were any votes counted as having been received for W. C. Allen for representative from the 36th Legislative District, where the voter had not made a cross mark in the square opposite his name as written on the ballot?

A. Yes, sir. There was several that were just stencilled in the circle under the device. I think there was probably something like twenty. I kept an exact account at the time, but have forgotten just what the exact number was.

Q. You think, then, that there was as many as twenty votes counted for W. C. Allen in your precinct where the voter had just made the cross mark with a stencil in the circle under the Republican device and had not crossed in the square opposite Allen's name?

A. Something like that, probably not quite so many, and probably a few more. Something around twenty.

Cross-examination by J. C. Davis.

Q. I believe you stated in your direct examination that you were challenger and inspector for the Democratic party at the late November election?

A. Yes, sir.

Q. I believe you also stated that there were some twenty or thirty voters in your precinct that cast their suffrage for the said W. C. Allen, contestee herein, that were not sworn?

A. Yes, sir, as well as I remember, there was something like twenty or thirty.

Q. I will ask you to state whether or not these voters that so voted were advised by any of the election officers that they should be sworn before they cast their vote in that manner?

A. Well, there was a right smart little talk about that. There was something said, but I don't know, as they all were advised. I know they were not all advised in my presence.

Q. Those that were advised in your presence that they must be sworn if they were unable to read and write, before they could have the name of W. C. Allen, contestee herein, written on their ballot, state whether or not they complied with the request?

A. Well some of them didn't, seemed as if they didn't want to be sworn, and I know there was a few that were not, and they went ahead and wrote it for them without swearing them. There was one fellow that said that he could read and write a little, and they went ahead and wrote his name for him. He was one of the first ones sworn. He asked that Allen's name be written. I challenged him and he swore he could read and write a little, but the clerk went ahead and wrote Allen's name for him.

Q. About how many votes were cast for the said W. C. Allen, contestee herein, in your precinct, in other columns than the Republican column, that were not counted for said Allen?

A. I think there were about six or seven. Now there was one of these names that was written right under Steve

Dobbs' name that wasn't counted, but the most of them were written in the Prohibition column.

Q. This name that was written under the name of S. C. Dobbs, in the Democratic column, state whether or not it was stamped after it?

A. No, sir, it was not.

Q. State whether you were present, or entered into the agreement that the election officers of your precinct had at said election, wherein they agreed that they would count any vote or votes, for any candidate, whatever political faith he might be, that if they could understand the intention of the voter?

A. We always try to count where it is clear that they could tell his intention.

Q. Now, all of these votes that were counted for W. C. Allen, that you have heretofore testified about, were they so plainly marked on the ballot in any way, under the device or after the name, that there could be no mistake about for whom they were cast?

A. There was some they counted for Allen that were so blurred up that I couldn't tell it was Allen. I couldn't make the beginning of W. C. Allen, or the ending of W. C. Allen.

Q. Those names you called in question because of the blurred way in which they were written, were in the proper space and column on the ballot, so as to indicate that they were voted for said Allen?

A. Well, I hardly know whether they were or not. In

a way it looked like they had, only they hadn't stencilled after the name. They had told them to be sure to stencil opposite his name, but there were a good many that were not stencilled opposite his name, and I didn't think they ought to be counted, but they counted them.

Q. State whether or not it has always been the custom of the election officers in your precinct to count any vote or votes for any candidate or candidates wherein the election officers could discern the intention of the voter, that you have associated with?

A. Yes, when we could clearly understand the intention, we counted it.

Redirect Examination by O. B. Bertram.

Q. With which political party does the clerk of the November election affiliate?

A. Republican party.

Q. I will ask you, Mr. West, if I understand from your answering of Mr. Davis' question, that notwithstanding you had opposed the clerk writing the name of W. C. Allen on the ballot for some of the voters because they could write, he went ahead and wrote the name of Allen on the ballot for the voter, without the voter being sworn?

A. Yes, sir, he wrote it for several without the voter being sworn, and sometimes he would ask them if they wanted it written on there, or would mention Allen's name, or something of that kind.

Q. At the time the vote was being counted, I will ask you if you objected to the officers counting any vote for

Allen where the voter had not stencilled in the square opposite his name?

A. Yes, sir, I objected to it.

Re-cross Examination by J. C. Davis.

Q. Who was clerk of said election in your precinct?

A. Oliver Jenkins.

Q. What kind of business has said Jenkins been recently engaged in in your precinct?

A. Well, at the time of the election, he wasn't at Mill Springs, he was staying at Monticello, and I suppose, connected with the oil business.

Q. State whether or not recently he has been engaged in the goods business with his father-in-law?

A. It is my understanding that he has not been connected with the business for some time.

Q. For how long had said Jenkins been connected with his father-in-law in the goods business in said precinct?

A. It is my understanding that he was connected with him in the goods business there for eight to twelve months.

Q. Well, the said Jenkins had a pretty good knowledge of who could read and write in his precinct, did he not?

A. I couldn't say.

Redirect Examination by O. B. Bertram.

Q. You have lived in that precinct all your life, associated with the voters, and transacted business with almost every man in the precinct, haven't you?

A. Well, there are a good many I haven't transacted business with. I have lived there and known most of them a long time.

Re-cross Examination by J. C. Davis.

Q. Then about the only way that you know about the education of your district is when you meet them at the election once a year?

A. Lots of them I have an idea that they can read and write or that they can't.

Taking of depositions adjourned until one o'clock.

Met pursuant to order of adjournment.

The deposition of W. C. Kindrick, taken on the 29th day of November, 1915, at the law office of O. B. Bertram, in the town of Monticello, Kentucky, for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence and occupation?

A. Forty-eight the 18th of September; farmer; reside in Wayne county, at Gregory.

Q. What voting precinct in Wayne county do you live in?

A. Sinking, No. 13.

Q. Did you serve as an election officer in that precinct at the November election, 1915?

A. I did.

Q. What position did you hold?

A. Sheriff.

Q. Mr. Kindrick, at the November election, 1915, and during the day, and while the vote was being taken, state whether or not the clerk of the election wrote the name of W. C. Allen on any of the official ballots, and under the Republican device, and if so, about how many did he so write?

A. I couldn't state just how many, but quite a lot.

Q. In your best judgment, how many did he write?

A. Well, I don't know whether I could just say or not. Somewhere between forty and seventy-five. I didn't keep count, but quite a lot.

Q. Were any of the voters for whom he wrote the name of W. C. Allen on the ballot sworn as to whether or not they could read and write, or as to whether they were so blind or disabled they couldn't write?

A. I didn't see any blind men. Some said they could write, but Charlie could write better than they could.

Q. Who do you mean by Charlie?

A. Charlie Vaughan, the clerk of the election.

Q. Were these voters sworn at any time, before or after they voted?

A. None of them were sworn. The question was asked several of them if they could read and write; some of them couldn't and some could.

Q. About how many of them stated that they could write?

A. I couldn't say; several of them. Then that couldn't read and write, I think voted on the table.

Q. Who marked their ballots for them, if any one?

A. Charlie Vaughan showed them.

Q. About how many voted on the table?

A. I suppose ten or fifteen.

Q. Were those parties, parties that could see?

A. Well, there wasn't anybody there that couldn't see. Jim Ramsey was one of them, Tom Maxwell, George Maxwell, Jim and John Maxwell, and some more. Jim Ramsey can't neither read nor write.

Q. As sheriff of the election, were those ballots where the clerk had written the name of W. C. Allen for the voter and without the voter being sworn; were they counted as votes having been received by W. C. Allen?

A. Everything was counted for Mr. Allen that was

stencilled in the square opposite his name. Five or six stencilled under the device, and Bill Allen was written on the Republican line that was not counted for him. We read the law just before we went to count the ballots and saw what it said and therefore we counted them off.

Q. And you counted every ballot where they had stencilled in the square opposite his name?

A. Yes, sir.

Q. Didn't take into consideration the fact that the voter hadn't been sworn?

A. No, sir.

Cross-examination by J. C. Davis.

Q. Mr. McKindrick, with what political party do you affiliate?

A. Democratic party.

Q. I believe you stated in your direct examination that as an officer of the recent November election, in connection with the other officers of said election, in counting the votes cast there for W. C. Allen, contestee herein, for representative from the 36th Legislative District of Kentucky, that you counted no votes for him except those that were stencilled in the little square opposite the name of Allen, which was written by the clerk?

A. We counted everything that was stencilled in the square. The clerk wrote as many as forty to seventy-five names. We counted everything for W. C. Allen, or Bill Allen, where the name was written on either one of the lines. Some were written on the top line, some on the bottom.

Q. Were there any votes cast for Allen other than in the Republican column of said ballots?

A. Yes, sir. Three votes where they were stencilled under the Democratic device in Cress' square, and they were counted for Cress.

Q. Were all those votes that you counted for said W. C. Allen so plainly marked by the voter that there could be no mistake about the voter's intention?

A. I don't think there was any mistake at all, except five or six ballots where Allen's name was written, and stencilled under the log cabin.

Q. Were the voters, on telling the officers of the election that they couldn't read and write the English language, were they advised by the officers of the election, or any one of the officers, that they must be sworn to the fact that they couldn't read nor write?

A. No, sir.

Q. Then you mean to say, Mr. Kindrick, that you counted no vote or votes for said W. C. Allen, contestee herein, except in your judgment was intended to be voted for him?

A. We just counted what was stencilled in the square opposite his name. We gave him everything that was voted there for him, except the vote of six votes that was stencilled under the Republican device and his name wrote on a line and not stencilled, and we didn't count them six votes.

Q. And you didn't count the three ballots voted for him in the Democratic column?

A. No, sir. We couldn't do that, I don't think.

Q. How many votes in all were there that you refused to count for W. C. Allen?

A. Well, there couldn't have been a squabble over any more than nine. Six under the Republican device and three under the Democratic device.

Q. Were there no votes cast for said Allen in your precinct except in the Republican and Democratic column?

A. No, sir.

Also the deposition of Jeff Lovell, taken at the same place and for the same purpose as stated in the caption, and on the 29th day of November, 1915. The witness first being duly sworn, deposed as follows:

Direct Examination by O. B. Bertram.

Q. State your age, residence and occupation?

A. Thirty-five; farmer; reside in Wayne county.

Q. What voting precinct in Wayne county do you live in?

A. Liberty, No. 14.

Q. Were you living in that precinct on the 2d day of November, 1915?

A. Yes, sir.

Q. Did you act as one of the officers of the November election, held in that precinct on the 2d day of November?

A. Yes, sir.

Q. What position, Mr. Lovell, did you hold?

A. Judge.

Q. I will ask you to state whether or not the clerk of the election wrote the name of W. C. Allen under the Republican device on the official ballot in the blank space left for a candidate for representative for any of the voters, and if so, about how many ballots did he write the name of W. C. Allen on?

A. Yes, sir. I guess about sixty ballots. Somewhere about that.

Q. Were any of the voters for whom he wrote the name of W. C. Allen on their ballots, sworn as to whether or not they could read and write, or as to whether or not they were otherwise physically disabled so they couldn't see to mark their ballots or write upon their ballots?

A. No, sir.

Q. State whether or not any of the voters for whom the clerk wrote the name of W. C. Allen on their ballots could read and write to your personal knowledge. They said they could, but that he could write better than they could.

Q. About how many of the voters said they could read and write, in your best judgment?

A. I don't know hardly. I will say twenty-five or thirty.

That part of the answer objected to by attorney for contestee, as to what the voter said about it.

Q. Were all of these votes counted and certified as having been cast for W. C. Allen where the clerk had written the name of W. C. Allen upon the ballot for the voter, as having been received by Allen?

A. Yes, sir.

Q. How many votes did the officers of the election certify that W. C. Allen had received in your precinct?

A. Seventy-one.

Q. Did that include the fifty or sixty of them on which the clerk had written the name of W. C. Allen?

A. Yes, sir.

Cross-examination by J. C. Davis.

Q. Mr. Lovell, I will ask you to please state what political party you affiliate with?

A. Democratic.

Q. As judge of the late November election in your precinct, I will ask if you assisted the judges and the clerk of the election in counting and tabulating the vote cast in that precinct for the said W. C. Allen, contestee herein, for the office of representative from the 36th Legislative District of Kentucky?

A. Yes, sir.

Q. Did you, as judge of said election, or did your associate judge, or any of the officers of said election at said time, in said precinct, advise any of the voters on their declaring

that they could not read nor write, when they offered to vote, that they must be sworn before they voted?

A. No, sir.

Q. Was that question ever raised at all, to your knowledge, as to whether or not the voter must be sworn as to whether he could read and write the English language?

A. I don't know that it was.

Q. Were all those votes that you counted for said W. C. Allen, contestee herein, for said office, so plainly marked by the voter that there could be no mistake about whom he intended voting for?

A. Yes, sir.

Redirect Examination by O. B. Bertram.

Q. Did any voter request to be sworn as to his inability in any way, before the name of W. C. Allen was written on his ballot?

A. No, sir.

Adjourned until 30th day of November, 1915.

November 30, 1915.

Met pursuant to order of adjournment of November 29th.

The deposition of Sam Mercer, taken at the same place and for the same purpose as stated in the caption, on November 30th.

Direct Examination by O. B. Bertram.

Q. State your age, residence, and occupation?

A. Thirty-seven years old; reside in Wayne county; farming.

Q. What voting precinct do you live in, Mr. Mercer, and did you live in on the 2d day of November, 1915?

A. Frazer, No. 17.

Q. Were you an officer of the November election held in that precinct on November 2d, 1915?

A. Yes, sir.

Q. In what capacity did you serve?

A. Sheriff.

Q. I will ask you to state whether or not, during the day while the vote was being taken, the clerk of the election wrote the name of W. C. Allen on any of the official ballots, under the Republican device, as a candidate for representative, for any of the voters without the voter being sworn as to whether or not he could read and write, or as to whether he was blind or disabled in any way?

A. He wrote some; I don't know how many; Allen's name.

Q. You mean that he wrote the name of W. C. Allen on the official ballot, under the Republican device?

A. Yes, sir.

Q. Give your best judgment as to the number of ballots on which he wrote the name of W. C. Allen?

A. I don't know; ten or twelve; it might have been more.

Q. Was any of the voters for whom he wrote the name of W. C. Allen on their ballots sworn as to whether or not they could read and write?

A. No, sir.

Q. To your own personal knowledge do you know whether or not any of the voters for whom he wrote the name could read and write?

A. Yes, sir.

Q. About how many of them could read and write?

A. I don't know; I guess all of them could, or most of them, anyway; might have been a few that couldn't.

Cross-examination by J. C. Davis.

Q. Mr. Mercer, with what political party do you affiliate?

A. Democratic party.

Q. Were these ten or twelve voters that you say had the name of W. C. Allen, contestee herein, for the office of representative from the 36th Legislative District of Kentucky, written by the clerk at said election in your precinct, advised by you or any of the other officers of the election that they must be sworn as to whether they could read and write the English language before they could have the clerk write the name of said Allen for them?

A. No, sir.

Q. Can you give the exact number of those fellows that voted for said Allen at said time and place for said office, as to how many could read and write the English language and how many could not?

A. I guess half of them could; some of them I know could read and write.

Q. Now, of those voters who could read and write and had the clerk write the name of said Allen, contestee herein, for them, were they advised by you or any of the officers of said election that before the clerk could write the name of a candidate for a voter, that they must swear that they were unable to read and write the English language, or in some other way under disability so that they could not cast their vote?

A. No, sir.

Q. Were all these votes cast for said W. C. Allen, herein, so plainly marked upon the ballot by said voter that there could be no mistake about whom they intended to vote for?

A. Some of them were, some of them wasn't. They were just marked every way.

Q. Did the election officers count all these ballots that you say were cast in that way for W. C. Allen?

A. No, sir; just what was stencilled.

Q. You mean that just what was stencilled in the little square opposite the name of the written Allen?

A. Yes, sir.

Q. How many votes did the officers refuse to count for the said Allen, voted this way?

A. I don't know how many.

Q. Can you state about how many?

A. No, sir.

Q. Have you no idea?

A. No, I don't know as I do.

Q. Were there as many as one hundred that they refused to count for said Allen?

A. I couldn't say; there were several.

Q. Were there any votes cast for said Allen at said election in your precinct in other columns than in the Republican column?

A. No, I reckon not. Not that I recollect of.

Q. Then the election officers in your precinct didn't count any votes for said W. C. Allen for said office in said precinct, except what were plainly marked?

A. No, sir; just what was stencilled; some were marked with a lead pencil that wasn't counted.

Q. You mean to say those that were marked with a lead pencil in the little square opposite his name were not counted?

A. No, sir.

Q. How many were there of that kind?

A. I don't know.

Q. Were there as many as fifty?

A. I couldn't say.

Q. Were there less than fifty, in your judgment, that were marked with a lead pencil and not counted?

A. Some under fifty, I guess.

Q. Were there as many as forty?

A. I guess there were twenty-five or thirty.

Q. You mean there were twenty-five or thirty votes cast for the said W. C. Allen at said election in said precinct, where the name of said Allen had been written and marked in the little square opposite his name with a lead pencil, that were not counted for him?

A. Yes, sir.

Redirect Examination by O. B. Bertram.

Q. Do you remember the number of votes that was certified by the election officers as having been cast for W. C. Allen in that precinct?

A. I forget.

Q. To refresh your memory, I will ask if it wasn't forty-three?

A. I don't know. I don't know as I could tell what any man upon the ticket got, how many votes.

Q. You spoke about them being marked with a pencil in the square opposite Allen's name, and not counted. Were they marked in the square opposite his name or was his name written under the Republican device and it was marked in the square under some other device?

A. It was written in the square just opposite his name.

Q. And them you didn't count?

A. We didn't count them that were marked with a lead pencil.

Q. And you don't remember how many there were that you didn't count that was marked with a pencil?

A. I don't know how many.

Q. And you don't know how many votes any man received in that precinct?

A. No, sir, I couldn't say today. I just forget.

STATE OF KENTUCKY,
COUNTY OF WAYNE.

I, Flora Powell, Notary Public in and for the State and county aforesaid, certify that the foregoing depositions of S. C. Dobbs, Sandy McKechnie, T. R. Kelsey, Ed Kinnett, L. C. Southerland, Freeland Piercy, T. J. Roberts, J. W. Hines, W. I. West, W. C. Kindrick, Jeff Lovell, and Sam Mercer, were taken before me at the law office of O. B. Bertram, in the town of Monticello, Wayne county, Kentucky, on the 26th, 27th, 29th, and 30th of November, 1915; that said witnesses were each duly sworn before giving it; that by agreement of attorneys for contestant and contestee, the

evidence was taken in shorthand by me, and that the foregoing depositions is a true transcript of my notes of said evidence, and by agreement of the attorneys, the signature of the witnesses to said evidence after same was transcribed, was waived. The contestant was present in person during a part of the giving of said evidenec. The contestant and contestee were each represented by Attorney, O. B. Bertram representing the contestant, and J. C. Davis representing the contestee.

Given under my hand this November 30, 1915.

FLORA POWELL,
Notary Public.

My commission expires at the end of the next Senate.

TAXATION OF COSTS.

Flora Powell, examine, taking evidence, 4 days	$12.00
Transcribing notes	13.60
Sandy McKechnie, 1 day as witness	1.00
T. R. Kelsey, 2 days as witness	2.00
Ed. Kinnett, 1 day as witness	1.00
L. C. Southerland, 1 day as witness	1.00
Freeland Piercy, 1 day as witness	1.00
T. J. Roberts, 2 days as witness and toll	2.20
J. W. Hines, 1 day as witness and toll	1.20
W. I. West, 1 day as witness and toll	1.20
W. C. Kendrick, 2 days as witness and toll	2.20
Jeff Lovell, 2 days as witness and toll	2.20
Sam Mercer, 2 days as witness and toll	2.20
	$42.80
J. C. Huffaker, executing subpoena on 11 witnesses	2.75
	$45.55

Contestant	$45.55
	24.05
	$69.60

Received through the U. S. Mail. The package when delivered to me was sealed, properly indorsed and is filed, this January 5th, 1916.

ELI BERRY, Chief Clerk,
House of Representatives.

The Commonwealth of Kentucky:

To the Sheriff, Coroner or any Constable of Wayne County:

You are commanded to summon Omer Bertram, P. R. Edwards, D. W. C. Rector and Wm. Brumily to appear before Flora Powell, Notary Public, at the office of O. B. Bertram on the 22d day of December, 1915, to testify in behalf of the contestee in a contest pending between S. C. Hobbs and W. C. Allen, and notify said parties of the time and place of trial, and have then there this writ.

Given under my hand, this 22d day of December, 1915.

Flora Powell, Notary Public.

Executed in full on the within named witnesses. This Dec. 18, 1915.

G. P. TATE, S. W. C.

To the Sheriff or any Constable or Marshal in and for Wayne County:

You are commanded to summons J. N. Lowe, Sam Denney, J. A. Brown, Miles Gregory, Riley Burnett, and Charlie Vaughan to appear before me at the law office of O. B. Bertram, in the town of Monticello, on December 22, 1915, to testify by way of deposition for the contestee, in a contest be-

tween S. C. Dobbs, contestant, and W. C. Allen, contestee, for a seat in the General Assembly to be held in the city of Frankfort, beginning January 3, 1916.

Flora Powell, Notary Public.

Came to hand Dec. 22, 1915, at 9 o'clock A. M., and executed on the within named witnesses in full. This Dec. 22, 1915.

G. P. TATE, S. W. C.

(F) DEPOSITIONS FOR CONTESTEE.

36th Legislative District of Kentucky.

S. C. DOBBS .....Contestant,
vs.
W. C. ALLEN .....Contestee.
} Depositions for Contestee.

The deposition of W. C. Allen, contestee herein, taken pursuant to agreement at the law office of O. B. Bertram, in the town of Monticello, Kentucky, on the 22d day of December, 1915, evidence to be read in behalf of said contestee herein, before the next General Assembly of Kentucky, in a contest between S. C. Hobbs, contestant, and W. C. Allen, contestee. Witness after being duly sworn, deposed as follows:

Direct Examination.

By J. C. Davis, Attorney for Contestee.

Q. State your age, residence and occupation?

A. 66 years last June. Reside at Albany, Kentucky. At this time I am a preacher.

Q. State whether or not you were the regular nominee

of the Republican party, nominated at the regular primary election on August 7th, last, for Representative from the 36th Legislative District of Kentucky?

A. Yes, sir. I were.

Q. State whether or not you received a certificate of said nomination from the Secretary of State, declaring you the nominee of said office in said primary election?

A. I did.

Q. State whether or not your name was printed upon the ballots in the regular November election last, to be voted for as a candidate for said office?

A. It was not.

Q. I will ask you to please state why your name was not so printed upon the said ballots at said election for said office?

A. Well, I couldn't tell only what the Secretary of State told me. He said Steve Dobbs kept him from certifying my certificate to the clerk's of my counties.

Q. I will ask you whether or not you sent your certificate of nomination back to the Secretary of State at Frankfort, Kentucky?

A. I did.

Q. I will ask you to please state how and when you sent it?

A. I sent it on Friday, October 1, 1915.

Q. I will ask you if you had a copy of the telephone talk with the Secretary of State, C. F. Crecelius, relative to sending your certificate to him by mail, and his reply?

A. Yes, sir.

(All the foregoing questions and answers objected to by O. B. Bertram, attorney for contestant.)

Q. I will ask you if you will file a copy of the telegram with your deposition and make it a part thereof and mark it Ex. A.?

A. I will.

Q. I will ask you if you have got a copy of the joint affidavit made by you and the assistant postmaster at Frankfort, Kentucky, as to when that letter carrying your certificate of nomination reached Frankfort, Kentucky?

A. Yes, sir, I have.

Q. I will ask you if you will file that and make that a part of your deposition, marked Exhibit B.?

A. I will.

(Signature of witness waived, by agreement.)

EXHIBIT A.

Mr. Crecelius, Secretary of State.

October 1, 1915, Falmouth, Ky.

Your letter delayed by high waters, but certificate mailed

today will reach you tomorrow. Will that be O. K.? Mr. Crecelius says it will be O. K. to reach him tomorrow.

Minnie Kennedy, Clerk.

EXHIBIT B.

The affiant, W. C. Allen, states that he is a resident of Albany, Clinton County, Kentucky, and is above the age of 25 years. That he was a candidate for the Republican nomination for representative from the 36th Legislative District of Kentucky, composed of Wayne and Clinton counties, at the primary election held on August 7, 1915; that he received a majority of the votes cast at said election and was declared the nominee of the Republican party for said office, and that the certificate of such nomination was duly awarded him. That on Friday, October 1, 1915, he mailed said certificate of nomination from Monticello, Ky., addressed to the Secretary of State, Frankfort, Ky., in registered letter No. 101, and that on the afternoon of the same day he called up the Hon. C. F. Crecelius, Secretary of State, at Falmouth, Ky., and asked him if it would be sufficient for said certificate of nomination to go by mail, and if he would file same if it reached Frankfort the next day, October 2nd, and that the Secretary of State replied that it would be sufficient. That affiant then said to the Secretary of State, that if there was any doubt about it, he would come in person and bring said certificate and that the Secretary answered that that would be unnecessary and that it would be all right for it to come by mail, provided it reached him any time the next day, or on the afternoon of the next day. He states that being thus assured by the Secretary of State, he permitted said certificate of nomination to go forward by registered mail. That the affidavit of the Assistant Post Master at Frankfort, Ky., shows that said registered letter containing said certificate of nomination went to Frankfort on C. & O. train No. 23, Saturday, October 2, 1915, which was due to arrive there at 5:45 P. M., but for some reason or

other, the Secretary of State failed to do as he had promised and he did not get said certificate of nomination from the post office and file it in the office of Secretary of State on that date as he had promised and agreed to do over the telephone.

Also the deposition of O. B. Bertram, taken pursuant to agreement, at the same time and place, and for the same purpose as stated in the caption. Witness after being duly sworn, deposed as follows:

Direct Examination.

By J. C. Davis.

Q. State your age, residence and occupation?

A. 33 years old. Reside at Sunnybrook, Wayne County, Kentucky. Merchant.

Q. State whether or not you served as one of the election officers of Powersburg precinct at the November election, 1915, and if you say you did, in what capacity did you serve?

A. Judge.

Q. State whether or not as one of the judges, of said election at said time, and in said precinct, you assisted the other officers in counting the vote of said election?

A. I did.

Q. Please state who was the other judge of the election?

A. P. R. Edwards.

Q. Please state with what party you affiliate?

A. Democrat.

Q. Please state with what party P. R. Edwards, the other judge affiliates?

A. Republican.

Q. I will ask you to state in counting the votes in said election in said precinct if you with the other officers noticed the name of W. C. Allen written on the ballot in said precinct at said election and voted for for the office of Representative from the 36th Legislative District of Kentucky, in the coming session of the next General Assembly of Kentucky?

A. I did.

Q. In counting the vote cast for the said W. C. Allen, contestee herein, please state whether or not, there were any votes counted for him, that were not properly marked by stencil or pencil indicating to the satisfaction of the officers the intention of the voter in so voting for him?

A. None.

Q. Please state whether or not there were as many as fifty voters who voted in the circle under the devise of the Republican column and not in the square opposite said Allen's name, and those votes so voted were counted for the said W. C. Allen?

A. Not to my knowledge, none of them.

Q. Were there as many as fifteen votes counted for Allen which were voted in other columns on the ballot and some of which were cast for other offices other than that of Representative?

A. None to my knowledge.

Q. Please state who was the clerk of said election at said time and in said precinct?

A. T. R. Kelsey.

Q. Please state whether or not the said clerk refused to write the name of the said W. C. Allen for the voter who was unable to read and write the English language?

A. He wrote some at the start.

Deposition of O. B. Bertram, continued.

Q. About how many names did he write before he quit writing, if he quit?

A. Two, I believe, are all the names he wrote.

Q. Then about how many did he refuse to write thereafter, if he did refuse?

A. The way that was stopped, the officers decided on that from a copy of the law that was sent down there by the Democratic County Chairman, and we decided not to have any more of them written. All the officers decided on that and he didn't attempt to write any more, as I remember it.

Q. Then you mean to say that the clerk and other officers in said election in said precinct, were advised through a letter sent to that precinct by the Democratic Chairman of Wayne County?

A. Yes, sir.

Q. Who signed that letter that you spoke of as the Democratic Chairman of Wayne County?

A. M. G. Back.

Q. State what election officers had this letter at the election at this time?

A. S. T. Bertram presented it, but as to his commission, I didn't see any. He said he was Inspector and Challenger, but I didn't see any commission.

Q. Please state whether or not, at said election, in said precinct, there were as many as 20 votes counted for the said Allen for said office that were so illegibly written that you could not tell the name the voter had intended to write on the ballot, but which were in the proper place and voted properly?

A. None, that I remember of.

Cross-Examination.

By O. B. Bertram.

Q. What part did you take in the counting of the votes?

A. The clerk did the tabulating.

Q. Who called the vote from the ballot?

A. Me and P. R. Edwards, I believe; both as I remember.

Q. Now, in calling the vote did you count for Mr. Allen any votes where his name had been written on the ballot and then the voter stencilled in the circle under the Republican device and did not stencil opposite his name?

A. No, sir.

Q. How many votes did you count for Mr. Allen where his name had been written under the Prohibition or Progressive device?

A. No, sir, none.

Q. Did you count and certify for him any votes where his name was such that you could not read it?

A. No, sir.

Q. Did you examine all the ballots that were counted?

A. No, I don't suppose I did.

Signature of witness waived by agreement.

Also the deposition of S. A. Denny, taken at the same time and place and for the same purpose as stated in the caption.

The witness after being duly sworn, deposed as follows:

Direct Examination.

By J. C. Davis.

Q. State your age, residence and occupation?

A. 47 years old, I think. Reside at Powersburg. Farmer.

Q. How long have you lived in Powersburg precinct No. 8?

A. All my life.

Q. Please state whether or not you served as an officer in said precinct at the last November election, and if so, in what capacity did you serve?

A. I did, served as sheriff of the election.

Q. As sheriff of said election in said precinct, did you assist the other officers in counting and tabulating the vote after the polls closed?

Q. Well, I never had anything to do with tabulating. I assisted in laying out and seperating the straight and the mixed vote.

A. You handled the vote to such an extent that you saw how they were cast?

A. I didn't handle all, of course, but some of them.

Q. You were present all the time during the counting and tabulating of said vote?

A. Yes, sir.

Q. Did you notice the name of W. C. Allen, contestee herein, written on any of the ballots in your precinct?

A. Yes, sir.

Q. Did you notice how those ballots were marked by the voter upon which the name of said Allen appeared in writing?

A. Well, I don't know hardly just what you mean by the question. We never counted anything for said Allen except what were written in the proper place and marked with stencil properly.

Q. Were there as many as fifty voters who voted in the circle under the device of the Republican column and not in the square opposite said Allen's name, counted for said Allen at said election in your precinct?

A. There was none that I know of.

Q. Were there as many as fifteen votes counted for Allen which were voted in other columns on the ballot and some of which were cast for other officers at said election in your precinct?

A. There wasn't any.

Q. Were there as many as twenty votes counted for said Allen where the name was written on the ballot so illegibly that you could not tell whose name it was so voted by the voter?

A. If there was any I don't know anything about it. Of course I never seen them all.

Q. If these irregularities mentioned in these later questions herein had existed, you would have seen them would you not?

A. Well, I think so. I suppose it would have been general talk.

Q. There was nothing like that talked of among the officers in counting those votes?

A. Not that I heard.

Q. You heard all the conversation that took place between the officers about the different ballots and the votes that were cast at said election in said precinct?

A. Yes, sir, I heard the conversation.

Q. Please state who was the clerk of the election in said precinct?

A. T. R. Kelsey.

Q. About how many votes, if any, did the said clerk refuse to write the name of said W. C. Allen for in said precinct at said election?

A. I have a list of them right here. I think there is twenty-one that said they couldn't write their own name and the clerk didn't write them. Yes, there were twenty-one.

Q. Are you personally acquainted with all those voters whose names you have that were refused by the clerk to write for?

A. No, I am not.

Q. They demanded the clerk at said election in said precinct to write for them upon the grounds that they were unable to write the name of W. C. Allen?

A. The officers would ask the men if they could write, and if he said he couldn't we asked him if he wanted to vote for W. C. Allen, and he would say he did. Then he would take his name on the book.

Q. The clerk had already refused to write the name of Allen for the voter, and was still refusing at the time you would take the names down?

A. Both the judges and myself decided after they claimed to have a decision from the Court of Appeals, and learned of the threat to go ahead and write them if we wanted

to, but if tehy did they would throw the whole district out. The officers being ignorant of the law decided the clerk had better not write them.

Q. What kind of threat was in that letter that contained what purported to be a decision of the Court of Appeals of Kentucky?

A. I don't know whether it was in the letter or not, but S. T. Bertram said we could write them if we wanted to but they would have the whole thing thrown out.

Q. S. T. Bertram was acting challenger of the election in that precinct was he not?

A. Yes, sir, he said so.

Q. Did he expose this letter you speak of there?

A. Yes, sir.

Q. Did you notice who that letter was signed by?

A. No, sir, if I did, I don't remember.

Q. And you say you don't remember the threat except what was given to you by the Democratic challenger?

A. That is all I know of the threat.

Q. Were there any more voters that couldn't vote for Allen upon the grounds that they understood from general rumor and from this letter that you speak of that they couldn't vote for Allen if they couldn't read and write?

A. Well, I suppose there were some that wanted to vote

for him that I haven't gotten their names here. (Objected to by O. B. Bertram.)

Examination by O. B. Bertram.

Q. Did any of the twenty-one fellows of whom you wrote the names down in your book, request to be sworn as to whether or not they could read and write?

A. No, sir.

Q. I believe you say that when a fellow came in you would ask him whether he wanted to vote for Mr. Allen?

A. Well, we would either ask him if he wanted to vote for Bill Allen or if he could write. Either one of the questions.

Q. With what party do you affiliate?

A. Republican.

Q. Did you make it a point to ask every fellow that came in there to vote whether or not he could read and write.

A. No, we did not. We would only ask where it looked suspicious that he could not read and write.

Q. And when you would be informed by the voter that he could not read and write, then you would ask him if he wanted to vote for Mr. Allen, and when informed that he did, you would write his name?

A. Yes, sir. Part of them we would ask him that way and part of them we would asked him if he wanted to vote for Mr. Allen.

Q. Did you personally examine each and every ballot that were cast in that precinct?

A. No, sir.

Re-direct Examination.

By J. C. Davis.

Q. How many of these votes that were cast in other columns than the Republican column, by writing the name of the said Allen and voting therefor with a cross mark that were not counted for said Allen in said precinct at said election?

A. Well, I don't know how many.

Q. About how many in your best estimation?

A. I guess twenty.

Q. That were properly voted, but the reason you didn't count them was because they were not in the Republican column?

A. I don't know whether they were properly voted or not.

Q. About how many, in your judgment, were properly voted that you didn't count?

A. Well, I wouldn't have but very little idea about a thing like that, because there was a decision among all of us that we would only count for Bill Allen what was voted properly.

Q. You mean by "what was voted properly" those voted in the Republican column?

A. Yes, sir. We decided that we would count those that had been properly voted under the log cabin in the right place. And these others we didn't count.

Q. You think there was fully as many as twenty votes of that kind?

A. That would be my guess.

(Signature of witness waived by agreement.)

Also the deposition of P. R. Edwards, taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposed as follows:

Direct Examination.

By J. C. Davis.

Q. State your age, residence and occupation?

A. 43 years old. Powersburg, Kentucky. Farmer.

Q. Please state whether or not you acted as one of the election officers in Powersburg precinct No. 8, in the recent November election, and if you say you did, please state in what capacity you served?

A. I did. Judge.

Q. Please state as judge of the election whether you assisted in counting the votes cast by the voters in said precinct at said election?

A. I did.

Q. Please state whether or not the name of W. C. Allen was written on any ballots in said election, and marked by the voter in such a way that you could tell the intention of the voter in so casting that vote?

A. Yes, sir. They were written.

Q. Please state if there was as many as fifty votes in said precinct at said election counted for the said Allen which had only been voted in the circle under the device of the Republican column and not in the square opposite Allen's written name?

A. No such votes counted for him.

Q. Were there as many as fifteen votes counted for the said Allen which were voted in other columns on the ballot and some of which were cast for other officers than that of Representative?

A. I don't remember a single vote of that kind that was counted for him.

Q. Who acted as clerk?

A. T. R. Kelsey.

Q. About how many times did he refuse to write the name of the said W. C. Allen for the voters, or in other words, about how many voters were disfranchised and not allowed to cast their suffrage for said Allen in said precinct by reason of the fact that said clerk did refuse to write for them the name of said W. C. Allen?

A. Well these twenty-one that you have a list of here,

then three more that I have heard speak of since that wanted to and didn't. There must have been fifty. (Objected to by Bertram.)

Q. Were there as many as twenty votes in said precinct at said election counted for the said Allen where you could not tell what name the voter had intended to write on the ballot?

A. Well, of course I only came across a proportional part of the number, but all that I examined were legible. I could read it and anybody could read them. I don't say that I examined half the votes cast.

Q. You mean to say that you didn't find any votes of that character in said election in said precinct?

A. No, I didn't pass any but what I could read.

Q. No such question as that was raised at all during the counting and tabulating of the votes?

A. No contentions over the name of that kind that I remember.

Cross-Examination.

By O. B. Bertram.

Q. Did you examine all the ballots that were counted?

A. No, I couldn't say that I did.

Q. Were any of the voters in that precinct sworn as to whether or not he could read and write?

A. I don't remember that there was.

Q. Did any voter request to be sworn?

A. They would come and say they wanted to vote for W. C. Allen and couldn't write.

Q. The question is did the voter or any voter who said he couldn't write request the officer to swear him as to that fact?

A. I don't remember that they did.

Q. With what party do you affiliate?

A. Republican party.

Re-direct Examination.

By J. C. Davis.

Q. Did any of the election officers inform the voter when they would come in and say he wanted to vote for W. C. Allen, and that they could not read and write, that he must be sworn before the clerk could write the name for them?

A. I think not. I don't remember any such.

Signature of witness waived by agreement.

Also the deposition of J. R. Burnett, taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposes as follows:

Direct Examination.

By J. C. Davis.

Q. State your age, residence and occupation?

A. 37. Farmer. Reside at Steubenville, Kentucky.

Q. Please state whether or not you served as an election officer in precinct No. 3, Wayne County, Kentucky, in the November election, 1915, and if you say you did, please state in what capacity you served?

A. As Judge.

Q. Please state who was the clerk of said election?

A. Gilson Roberts.

Q. Please state, if you know, whether Mr. Roberts is a relative of the contestant, S. C. Dobbs, herein?

A. Yes, he is a brother-in-law, I suppose.

Q. At said election in said precinct, please state whether or not said clerk refused to write the name of W. C. Allen, contestee herein, for the voters in said precinct, who could not read and write the English language?

A. Yes, he refused to write them.

Q. Please state in your best estimation about how many voters in said precinct were kept from voting for the said W. C. Allen by reason of the fact that they could not read and write the English language, and from the further fact that said clerk refused to write the name of said Allen for them?

A. Well, I never kept any note of them. It is guess work. There must have been twenty or twenty-five.

Q. You are well acquainted with the educational quali-

fication of these voters of whom you speak in your precinct are you not?

A. Some I was and some I wasn't.

Q. Were there any votes cast at said election in said precinct that the name of said Allen was written in other columns other than the Republican column and marked with stencil mark opposite his name that were not counted for said Allen?

A. Yes, sir.

Q. Please state about how many of those votes were there?

A. There was one I remember that W. C. Allen was written under Mr. Dobb's name and stencilled in the Democratic column.

Q. That vote you say was not counted for said Allen?

A. No, sir.

Q. Was there any other votes?

A. Yes, there was some others. Some were wrote Bill Allen and voted. We didn't count them.

Q. About how many names were there just written Bill Allen and voted properly that were not counted for him?

A. Well, I couldn't say positive, five or six, I think.

Q. Were there any other votes cast for him that were not counted?

A. That was all I reckon. Some just wrote Allen, and we didn't count them.

Q. You mean to say then that you didn't count the one vote that was cast under S. C. Dobbs' name in the Democratic column and voted by mark in the little square after it, and you didn't count five or six votes that were written Bill Allen and just the name Allen, that was properly voted for Allen?

A. We didn't count anything but what was written W. C. Allen and voted properly.

Cross-Examination.

By O. B. Bertram.

Q. You were the Republican judge in your precinct were you not?

A. Yes, sir.

Q. As an officer of that election did you request any fellow to be sworn as to whether or not he could read or write?

A. No, sir.

Q. Did any of the voters request to be sworn as to whether or not he could read and write?

A. I don't think he did.

Q. I will ask you, Mr. Burnett, if Flem Bates, a Mr. Pyle and two of the Chriswells were not permitted to vote in your precinct and who were known to you as Republicans and who were not legal voters in that precinct?

A. Now, Flem Bates and these Chriswells have always voted up here before.

Q. Didn't you know at the time that Flem Bates had moved from where he lived at the time the precinct was made?

A. Yes, but he had voted here since he moved.

Q. Didn't you know as officer of the election that he lived outside of your precinct?

A. No, sir.

Q. Didn't you know that Claud Pyle had moved from Tennessee less than a year before the election?

A. I thought about it afterwards but didn't know it at the time. We talked about it afterwards and we talked about some others in another place, who were Democrats, and we just laughed about it and said it would be even.

Q. How many of those ballots were just the name of Allen writen on that you didn't count?

A. I couldn't say positive. I think five or six that was wrote Allen and Bill Allen. As well as I remember there were two just written Allen and I think two, three, or four wrote Bill Allen.

Q. You as officer of that election counted and certified every vote from your precinct where you thought the intention of the voter was clear and plain to the officer did you not?

A. Well, we didn't count anything except that was voted properly.

Q. Anything that was not voted properly you didn't count?

A. No, sir.

Signature waived by agreement.

Also the deposition of Miles Gregory, taken at the same time and place and for the same purpose as stated in the caption. The witness being duly sworn, deposes as follows:

Direct Examination.

By J. C. Davis.

Q. Mr. Gregory, please state your age, residence and occupation?

A. 59 years old. Reside at Coopersville, Kentucky. Farmer.

Q. Please state whether or not you served as officer of the last November election in Wayne County, and if you say you did, please state in what capacity you served?

A. I served as judge of the election.

Q. Please state in what precinct you reside?

A. Bell Hill, No. 11.

Q. Please state whether or not at said election in said precinct that the name of W. C. Allen was written on any of the ballots in your precinct and voted for the office of representative?

A. Yes, sir, there was.

Q. Please state whether or not there were votes cast for said Allen in your precinct that were not counted that should have been counted in your judgment?

A. Well there was a few that I mentioned I thought ought to have been counted, while the other officers thought not.

Q. Please state in what way these votes were cast for said Allen that you say you contended should have been counted for him and the other officers thought should not be counted for him?

A. Well, there was one vote that I remember distinctly that was wrote in the proper place and was crossed in the proper place but wasn't done with stencil—looked as if it was written with a pencil. I mentioned that it looked like it ought to be counted.

Q. Now were there any other votes that you thought should have been counted that wasn't counted?

A. Well there was some votes that was wrote and was stencilled in the two small columns. There would be one stencil in the proper place and one just above. We didn't count anything except where the name was written in the proper place.

Q. About how many of these votes you say that the name was written in one of the blank spaces left under the word representative in the Republican column, and both the little square crossed?

A. I would have to guess at that. Must have been five or six any way.

Q. You mean to say by that that the name was only written once?

A. The name was written once and stencilled in the two small squares.

Q. One of the stencil marks was opposite the name of W. C. Allen and the other in the other blank space?

A. Yes, sir.

Q. Were there any other votes that should have been counted for Allen that wasn't counted in your judgment?

A. There was some other votes that were in other places and in my judgment I thought they should have been counted. There was one, I think sure, and maybe more that was out under some of the other devices and we didn't count anything but what was in the Republican column.

Q. Summing up the vote in all these irregularities, about how many in all, in your judgment, should have been counted for the said Allen in said precinct that was not counted?

A. I think there must have been twenty or twenty-five votes that looked as if they had tried to vote for W. C. Allen.

Q. Then you mean to say that there were twenty or twenty-five votes cast for said W. C. Allen in your precinct, in your judgment, should have been counted for said Allen for said office that were not counted for him? (Objected to by O. B. Bertram.)

A. I don't know that I could say that all of them should have been counted for him. There was one that was voted—I don't remember the name, but some man had written his own name stencilled. I will say that I think I would be toler-

ably safe in saying that there must have been twenty votes that should have been counted.

Cross-Examination.

By O. B. Bertram.

Q. Do you know for what office these scattering votes had been cast?

A. Well, there were some voted right under Mr. Dobbs' name in the Democratic column, and I don't know that I could tell you all; there was one or more voted under some of the other devices but I couldn't tell just where they were.

Q. The only one that you remember for sure that was in the representative column was written under Mr. Dobbs' name?

A. There were several that were written there and stencilled there.

Q. How many votes were there?

A. I couldn't say.

Q. Were there any written under the progressive and prohibition?

A. There was one, but I don't remember which device it was under, might have been under the Prohibition. It seems like there were more. They didn't think they had any right to count any but what was in the Republican column, and in running over them, I would call the vote. (Me and A. T. Barrier called off the vote.) "Here is one for Allen which is in the Democratic column" and we would lay them out to

themselves. There must have been twenty or twenty-five votes that was voted that wasn't counted.

Q. Were they all in the Democratic column?

A. No, part in the Republican column and part in others. I think there was some in the Republican column that the name was written in the proper place but had stencilled in both the little squares, and the other officers claimed they were not legal.

Q. Do you remember how many of those there were?

A. Just couldn't say, but we passed over some different ones.

Q. With what party do you affiliate, Mr. Gregory?

A. Republican.

Re-direct Examination.

By J. C. Davis.

Q. With what party does Mr. A. T. Barrier affiliate?

A. Democratic.

Q. Was he serving as Democratic judge at said election?

A. No, Tom Chriswell was Democratic judge, and A. T. Barrier was inspector.

Q. And in counting those votes, you say A. T. Barrier, Democratic inspector would say that all those votes that were cast for said Allen under the name of S. C. Dobbs in the Democratic column and voted thereafter, wasn't good votes?

A. It was like this, I would pick up those that were voted that way, and they would say they couldn't count them.

Q. Now, in your best estimation, about how many of those votes were there?

A. Something like twenty or twenty-five votes that wasn't counted.

Re-cross Examination.

By O. B. Bertram.

Q. You mean twenty or twenty-five votes in all under all devices?

A. Yes, sir. And I remember one that was over in, it might have been the Prohibition, but most of the votes was in the Democratic or Republican columns, that wasn't counted.

Signature of witness waived, by agreement.

Also the deposition of W. M. Brumley, taken at the same time and place and for the same purpose as stated in the caption. Witness being duly sworn, deposed as follows:

Direct Examination.

By J. C. Davis.

Q. State your age, residence and occupation?

A. 34 years old. Farmer. Live in precinct No. 7, Wayne County.

Q. Please state whether or not you served as election officer of any kind in your precinct at the recent November

election, and if you say you did, state in what capacity you served?

A. Challenger.

Q. As challenger of said election in said precinct, did you assist in counting or tabulating the vote after the vote was taken?

A. No, sir.

Q. You mean to say that you were only there at the time the vote was being polled; from the time the polls were opened until they were closed?

A. Yes, sir.

Q. Please state whether or not the clerk in your precinct wrote the name of W. C. Allen, candidate for representative from the 36th Legislative District of Kentucky, for the voters who were unable to read and write the English language?

A. He did not.

Q. About how many voters were denied the privilege of voting for said W. C. Allen for said office in said precinct by reason of the fact that they couldn't read and write the English language, and the clerk refusing to write it for them?

A. To the best of my knowledge, anywhere from 15 to 20.

Q. And the voter understood from the beginning that the clerk was not going to write their names that day?

A. It was very early that the first one came in that couldn't read and write and the clerk refused and he went out and told them that they wouldn't write it.

Q. You are acquainted with the educational qualifications of the voters in your precinct pretty well, are you?

A. Yes, sir.

Q. And you are of the honest opinion that there were fifteen or twenty voters that were denied the privilege of voting because of the fact as aforesaid?

A. Yes, sir.

Cross-examination by O. B. Bertram.

Q. Did any of the voters for whom the clerk refused to write the name of W. C. Allen on his ballot, request the officers to swear them as to whether or not he could read and write?

A. The first voter that came in that couldn't read and write demanded that his name be written for him. The Democratic officer informed him it was illegal. We argued that it was not, and he offered to swear that he couldn't read and write, and called on them to swear him and they did not swear him.

Q. Did any other voter request to be sworn?

A. No sir. That is the only one that I know of.

Q. You were the Republican challenger in your precinct?

A. Yes, sir.

Signature of witness waived by agreement.

The deposition of D. W. C. Rector, taken at the same time and place and for the same purpose as stated in the caption. The witness after being duly sworn, deposed as follows:

Direct Examination by J. C. Davis.

Q. State your age, residence and occupation?

A. Fifty-nine years old; Murl precinct, No. 7; farming.

Q. Please state whether or not you served as an election officer of the recent November election in Wayne county, and if you say you did, please state in what capacity you served?

A. Clerk.

Q. Please state as clerk of said election, in said precinct, whether or not you wrote the name of W. C. Allen, candidate for representative from the 36th Legislative District of Kentucky, where the voter could not read and write the English language in your precinct?

A. I did not.

Q. Please state why you didn't so write the name of Allen for said voter?

A. The judges and sheriff both passed on it and decided that it wasn't lawful.

Q. With what party do you affiliate?

A. Republican.

Q. And with what party does the judge and sheriff of said election affiliate?

A. Democratic.

Q. And those Democratic officers advised you that it was not lawful to write the name of said Allen for said voters, and for that reason you declined to do it?

A. Yes, sir.

Q. Upon what did these Democratic officers in said precinct base the advice given to you?

A. Well, they claimed it was law.

Q. About how long have you resided in precinct No. 7, Wayne county, Kentucky?

A. All my life.

Q. Are you well acquainted with the voters in your precinct?

A. Pretty well.

Q. About how many in your best estimation was denied the right of suffrage by reason of the fact that you didn't write the name of Allen that they might vote for him?

A. In my best judgment there was as many as twenty voters asked to have his name wrote that said they couldn't read.

Q. These twenty voters demanded the name be written in order that they might be able thereby to vote for said W. C. Allen?

A. Yes, sir.

Cross-examination by O. B. Bertram.

Q. Were any of the parties that requested the name of W. C. Allen to be written on the ballot sworn as to whether or not they could read and write?

A. No, I think not. The first one that came in was Mr. Hynes, and he offered to be sworn, but we didn't swear any of them. They decided it wasn't law to write his name.

Q. Did any of the other voters request to be sworn?

A. I can't say for sure whether they did or not.

Q. With what party do you affiliate?

A. Republican.

Redirect Examination by J. C. Davis.

Q. Were there any votes cast for the said W. C. Allen in your precinct, in your judgment, that should have been counted for him that wasn't counted?

A. Well, I don't know that there was.

Signature of witness waived by agreement of parties.

STATE OF KENTUCKY,
COUNTY OF WAYNE.

I, Flora Powell, a Notary Public within and for the county and State aforesaid, certify that the foregoing depositions of W. C. Allen, O. B. Bertram, S. A. Denney, P. R. Edwards, J. R. Burnett, Miles Gregory, W. M. Brumley, D. W. C. Rector, were taken by me at the time and place and for the purpose stated in the caption; that each of said witnesses were duly sworn by me before giving same; that said depositions were taken by me in shorthand, and truly and correctly transcribed by me on the typewriter; that the reading of said depositions to the witnesses as well as their signatures were waived by agreement of parties; that the contestee was present in person and by attorney, and that the contestant was present by attorney and in person part of the time.

Given under my hand this December 23, 1915.

FLORA POWELL,
Notary Public.

My commission expires at the end of the next Senate.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - Contestant,
vs.
W. C. ALLEN, - - - Contestee.
} Deposition.

The deposition of J. A. Brown, taken at the law office of O. B. Bertram, in the town of Monticello, Kentucky, by agreement, on the 18th day of December, 1915, to be read as evidence in behalf of contestee in the above styled contest.

The witness being duly sworn, deposed as follows:

Q. State your age, residence and occupation or profession?

A. Fifty-four years; Slickford, Wayne county, Kentucky; lawyer.

Q. In what voting precinct do you reside in Wayne county?

A. No. 9, I think it is.

Q. Were you an officer of any kind at the recent November election, 1915?

A. Inspector.

Q. Were you present during said election, all, or most all of the time that day?

A. Most all the time.

Q. I will ask you to please state who was clerk of said election in said precinct?

A. John N. Lowe.

Q. I will ask you to please state at said election in said precinct whether or not the said clerk wrote the name of W. C. Allen, contestee herein, for the voters in your precinct, desiring to cast their right of suffrage in said election for said Allen?

A. He did not.

Q. I will ask you to please state whether or not you know all the voters or about all the voters in your precinct and know whether or not they can read and write?

A. I know most of them, many of whom can neither read nor write.

Q. I will ask you to state from your knowledge and estimation, about how many voters were disfranchised of the right of their suffrage in said election by reason of the said clerk refusing to write the name of said W. C. Allen, contestee herein, for the office of Representative from the 36th Legislative District of Kentucky in the next General Assembly, by reason of this refusal of the clerk?

A. I don't know only what they said. About thirty from what they said. (Objected to as to what they said about it, by Bertram.)

Q. You mean "from what they said," what the voter so disfranchised said about it?

A. I mean the men who said they wanted to vote for Allen and did not vote for him on that account. He ran about thirty votes behind the ticket. (Objected to question and answer by Bertram.)

Q. Can you now state about how the ticket ran between the leading men of that precinct, State and district election?

A. My best recollection is that the ticket was about 90 to 95 Republican votes, while Allen got about 60. (Objected to question and answer by Bertram.)

Q. You helped count the votes at the close of the election on that day in said precinct and that is your recollection of the standing of the vote in that precinct?

A. I did, and that is my recollection? (Objected to question and answer by Bertram.)

Cross-examination by O. B. Bertram.

Q. To what political party does the clerk, John N. Lowe, affiliate?

A. Republican.

Q. With what party are you affiliated, Mr. Brown?

A. Republican.

By agreement signature of witness is waived.

STATE OF KENTUCKY,
COUNTY OF WAYNE.

I, Flora Powell, a Notary Public within and for the county and State aforesaid, certify that the foregoing depositions of J. C. A. Brown, was taken by me at the time and place stated in the caption; that the witness was duly sworn before giving it; that said deposition was taken by me in shorthand, and truly and correctly transcribed by me on the typewriter; that the reading of said deposition to witness was waived as well as his signature, by agreement of parties; that neither of said parties were present in person, but each were represented by their attorneys.

Given under my hand this December 18th, 1915.

FLORA POWELL,

Notary Public.

My commission expires at the end of the next Senate.

TAXATION OF COST.

Two days, taking stenographic notes, Flora Powell	$ 6.00
Transcribing said notes	9.45
Flora Powell, issuing one subpoena	.30
G. P. Tate, serving subpoena on 8 witnesses	2.00
J. A. Brown, one day as witness	1.00
O. B. Bertram, one day as witness	1.00
S. A. Denney, one day as witness	1.00
P. R. Edwards, one day as witness	1.00
J. R. Burnett, one day as witness	1.00
W. M. Brumley, one day as witness	1.00
Miles Gregory, one day as witness	1.00
D. W. C. Rector, one day as witness	1.00
	$25.75
G. P. Tate, serving two witnesses	.50
	$26.25

Received through the U. S. Mail. The package when delivered to me was sealed, properly indorsed, and is now filed. This January 5, 1916.

ELI BERRY, Chief Clerk,
House of Representatives.

(G) BRIEF OF CONTESTEE.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - - - - - - - - - - - - Contestant.

vs.

W. C. ALLEN, - - - - - - - - - - - - - - Contestee.

BRIEF OF CONTESTEE.

At the August Primary, 1915, W. C. Allen, contestee herein, was named as the Republican nominee for the office of representative, from the said Thirty-sixth Legislative District of Kentucky, composed of the counties of Wayne and Clinton, and thereupon received his certificate of nomination as such. On the 1st day of October, 1915, he mailed his certificate, registered, from the postoffice at Monticello, Ky., with the agreement made over the telephone between him and the then Secretary of State, that if it reached Frankfort, Kentucky, the next day, Saturday, and the last day on which under the law that his certificate could be filed, it would be all right. It did reach the said city at 5:45 P. M. the said day, and for some reason it was not taken from the postoffice by said Secretary until Monday, October 4, 1915.

Contestant herein enjoined the said Secretary of State from certifying said contestee's name to the county clerks of said district, and in that way kept the name of said contestee off the ballots at the November election, last. The voters of the said district undertook to, and did, elect said contestee to said office.

Said contestant then instituted this contest, and the matter is now before the Legislature for adjudification.

The proof shows that in Clinton county, E. M. Bertram wrote the name of W. C. Allen, in precinct No. 4, fifteen times for voters and that none of whom were sworn by the election officers as to whether they could read and write.

In No. 8, W. E. Ferguson, Judge, states that the Clerk wrote the name of W. C. Allen from twelve to twenty times for voters, none of whom were sworn as to their ability to read and write. On the cross-examination it shows that

there were eight votes not counted for said Allen that should have been, which counting from the minimum, leaves four votes contested.

In No. 1, W. W. Hopkins, Judge, states that the Clerk wrote the name of W. C. Allen fifteen or twenty times for voters, none of whom were sworn.

In No. 9 precinct, D. F. Shelley states that the Clerk wrote the name of W. C. Allen eight times for voters, none of whom were sworn, and on cross-examination he says there were two votes not counted for said Allen that should have been, leaving six votes contested.

In No. 10, F. M. Bandy, Sheriff, states that the Clerk wrote the name of W. C. Allen twelve or more times for voters, none sworn by officers, and on cross-examination he says that there were from five to six votes cast for said Allen that were not counted for him, which leaves ten votes contested in that precinct.

In No. 3, J. S. Maupin, Judge, states that the Clerk wrote the name of W. C. Allen for voters six or eight times, none of whom were sworn.

In No. 5, C. S. Long, Sheriff, states that the Clerk wrote the name of W. C. Allen for voters seven or eight times, none of whom were sworn, and on cross-examination he states that there were sixteen votes cast for the said Allen that were not counted for him.

On recapitulation counting in each case and for each, both contestant and contestee from the minimum figures, contestant contests seventy-five votes and contestee claims thirty-one more votes than were counted for him, the difference of which is forty-four votes, exactly the number contestee gained under the recount as was made under order of

Judge B. J. Bethurum, Circuit Judge of the Twenty-eighth Judicial District of Kentucky, and contestant gained nineteen votes in Wayne county, and whose decision, directing the recount of the ballots, was upheld just a few days later by the Court of Appeals in the case of Graham against Treadway (166 Kentucky, page 768), thereby upholding Judge Prior, who was sent to McCracken county by Governor McCreary to try the case, and R. R. Treadway is now served as a member of the House by reason of this decision. The court held that it was the duty of the election officers to open up the ballot boxes and recount. Judge Jones, of the Glasgow Circuit Court, held the same thing in the suit by Lewis against the Election Board of Hart County.

The proof in Wayne county shows that in Elk Creek precinct No. 4, Sandy McKetchnie, Clerk, states that thirty or more voted for said Allen by stamping in the circle under the party device instead of doing so after his written name.

In Powersburg, No. 8, T. R. Kelsey, Clerk, states that there were fifty votes counted for said Allen that were only voted in the circle under the party device, fifteen in other columns, and twenty votes so illegibly written that one could not tell what the name was; all of which testimony by Kelsey is contradicted by O. B. Bertram and P. R. Edwards, Judges, and S. A. Denny, Sheriff, of said precinct. Said Clerk, Kelsey, admits he refused to write the name of Allen for twenty-five voters who stated to him they could not write. Said S. A. Denny states that he kept a list of twenty-one voters who wanted to vote for said Allen, but could not because they could not write his name. P. R. Edwards says besides the twenty-one Denny has, he heard three more say they wanted to vote for Allen, but could not because they could not write and the Clerk would not write for them, and in all he says there were as many as fifty who would have voted for W. C. Allen, in his judgment, if they could have written his name.

This is the precinct in which S. T. Bertram had the threatening letter and something that purported to be a decision of the Court of Appeals, showing them around. In Eadysville, No. 5, Kinnett and Sullivan state that there were twelve votes counted for Allen that were marked under the party device only.

In No. 9, Piercy states that they laid out twenty ballots and said that there were seven or eight marked by a little dot after Allen's name, but he never says at any time that any of these twenty votes were counted for Allen. J. A. Brown states that there were as many as thirty voters who would have voted for Allen had they been able to have written his name. Both Piercy and Allen state that the Clerk, J. N. Lowe, refused to write the name of W. C. Allen for the voters who could not write.

In No. 13, T. J. Roberts and W. C. Kendrick state that the Clerk wrote the name of W. C. Allen for forty or fifty voters, none of whom were sworn.

In No. 14, Jeff. Lovell states that the Clerk wrote the name of said Allen for about sixty voters, twenty-five or thirty of whom declared they could not write, and none of them were sworn.

In No. 15, W. I. West states that the Clerk wrote the name of Allen for about twenty or thirty voters and that there were about twenty voted in the circle under the party device only.

In No. 17, Sam Mercer states that the Clerk wrote the name of said Allen for about ten voters and that there were twenty-five or thirty votes that were cast for Allen by marking with a lead pencil after his name, and that these votes were not counted for Allen.

In precinct No. 3, J. R. Burnett, Judge, states that the Clerk refused to write the name of W. C. Allen for twenty or twenty-five voters who could not read and write the English language, and requested him to write Allen's name for them, and that there were five or six votes cast for Allen but not counted for him. The Clerk in this precinct who refused to write for these voters is the brother-in-law of the contestant herein, S. C. Dobbs.

In Bell Hill precinct, No. 11, Miles Gregory, Judge, states there was one vote marked with a pencil, five or six with a double cross after them, and twenty or twenty-five other votes for Allen at different places on the ballots, all of which above votes were not counted for Allen and should have been counted for him.

In precinct No. 7, William Brumley states that the Clerk did not write the name of Allen for fifteen or twenty voters who requested him to write the name for them because they could not write and the witness, D. W. C. Rector, Clerk, states that at least twenty were prevented from voting for Allen, because he, as Clerk, refused to write the name of Allen for that many voters. He says the reason that he did refuse to write the name of Allen for the voters who could not write was that he was advised by the other election officers that it was not law for him to write for those who could not write.

Upon the recapitulation of the votes as shown by the testimony in this record as affects Wayne county, it shows by counting the minimum votes as contested by the contestant herein, that he contests one hundred and fifty-seven votes. It is shown by the contestee that he claims to have been counted out and kept out together, one hundred and ninety-one votes that should have been cast and counted for him, making a difference between the two numbers of thirty-four votes in

favor of contestee, W. C. Allen. Counting by maximums, it is shown that S. C. Dobbs, contestant herein, contests three hundred and thirty-seven votes, and the contestee claims that he is deprived of three hundred and forty-eight votes by reason of the fact that they were not counted for him when cast, and that the clerks of the various election precincts refused to write his name for the voters who could not write, leaving a difference of eleven votes in favor of the contestee, W. C. Allen.

Taking into consideration all of the evidence produced before this Honorable Committee, it is clearly shown that summing up either by the minimum or maximum votes on either side that the contestee, W. C. Allen is left in undisputed possession of the seat he has been given and occupies in this Honorable Body. We, therefore, respectfully request this Honorable Body to uphold the unmistakable action of the people of these two counties of Wayne and Clinton by deciding this contest in favor of the contestee and dismiss the contestant's notice, and pray you as the Committee of this Honorable Body to so report.

J. C. DAVIS,
TOM B. MCGREGOR,
Attorneys for Contestee.

The manner of voting is given in section 1471, Kentucky Statutes. The authority for the name of the candidate to be written and voted for on the ballot is found in section 1475, Kentucky Statutes.

Contestant S. C. Dobbs must have a clear and undisputed title by receiving the highest number of votes cast in this election.

(Howes vs. Perry, 13 R., page 483.)

The law makes it the duty of the clerk of the election to write the name for any voter of a candidate he desires to vote for when requested by the voter and informed that he cannot write.

(Little against Hall, 24 R., page 1060.)
(Graham vs. Graham, 24 R., 548.)
(Edwards vs. Loy, 24 R., 545.)

The supreme object of the law is that the intention of the voter is to be ascertained, if possible, and that intention carried out.

(Little vs. Hall, 24 R., 1060.)

No ballot shall be rejected for any technical error which does not make it impossible to determine the voter's choice.

(Petty vs. Ewell, 24 R., 565.)

(H) BRIEF FOR CONTESTANT.

In the Matter of the Contest for Seat in the Legislature for the 36th Legislatural District.

S. C. DOBBS, - - - - - - - - - - - - - - - Contestant.

vs. BRIEF FOR CONTESTANT.

W. C. ALLEN, - - - - - - - - - - - - - - - Contestee.

STATEMENT OF FACTS.

The contestant, S. C. Dobbs, was the regular nominee of the Democratic party for representative from the 36th Legislatural District, to be voted for at the regular Novem-

ber election, 1915. He filed with the Secretary of State his certificate of nomination, as is required by law, and his name was printed on the ballot.

The contestee, W. C. Allen, was the nominee of the Republican party for the same office, but he failed to file his certificate of nomination with the Secretary of State, as is required by law, and his name was not printed on the official ballot. The Secretary of State attempted to certify the name of the contestee to the County Clerks of Wayne and Clinton counties, which counties compose the 36th Legislatural District, so that said clerks would have said Allen's name printed on the ballot, but the Secretary of State was enjoined from so certifying the name of said Allen by the Judge of the Franklin Circuit Court. He then appealed to the Court of Appeals for dissolution of the injunction, which was refused. This court, in the case of Dobbs vs. Crecelius, etc., 166 Ky., 153, held that the provision of the statute, requiring a candidate to file his certificate of nomination with the Secretary of State not less than thirty days next before the date on which the general election is held, is mandatory, and the day of the election itself is not to be counted as one of the thirty days.

At the regular election the name of W. C. Allen was written on the ballot in both Wayne and Clinton counties by some of the voters and in ..... precincts the clerks of the election wrote the name of W. C. Allen on a large number of ballots under the Republican device, before the ballots were delivered to the voters. The election officers of the several precincts composing this legislatural district, at the close of the election, and in the regular way, counted all the votes which, in their opinion, should have been counted for both Dobbs and Allen, and included in this count the ballots on which the clerk had written the name of Allen, and from the

count so made by the election officers, and certified to the election commissioners, the following result was obtained:

Wayne County		Clinton County	
S. C. Dobbs	1,254	W. C. Allen	755
W. C. Allen	790	S. C. Dobbs	330
Maj. for Dobbs	464	Maj. for Allen	425

In District

S. C. Dobbs	1,584
W. C. Allen	1,545
Maj. for Dobbs	39

Before the Election Commissioners of Clinton County could complete the tabulation of the vote as certified to them by the election officers, two suits were instituted in the Clinton Circuit Court, setting forth the fact that Allen was entitled to have counted for him certain votes in six precincts of that county which the election officers had, in their judgment, determined should not be counted for Allen. The presiding Judge of the Clinton Circuit Court issued an injunction forbidding the Election Commissioners of Clinton County from counting and certifying the vote as certified to them by the several election officers of that county, and mandatorily directed the election officers of the precincts mentioned in the petition to reassemble in the county court clerk's office on a certain date, to open the ballot boxes, and to count for Allen certain ballots which had been voted in a certain way, and to certify the result thereof to the election commissioners; and also mandatorily directed the election commission to reassemble immediately after such election officers had certified to them the vote, and tabulate the vote

so certified by them, and certifies the result thereof. The contestant was not a party to either of these suits, but some of the election officers were represented by an attorney at the hearing on the motion for an injunction. The two suits were argued and heard together. Immediately after the injunction was granted, these election officers gave notice that they would, on a certain date, appear before Chief Justice Miller of the Court of Appeals, and enter a motion to dissolve the injunction. They requested the Clerk of the Clinton Circuit Court to immediately transmit to the Clerk of the Court of Appeals the record of the two cases, so that the record would be before the Chief justice at the time the motion was made. The clerk did transmit the record in one case, involving one precinct, but failed to transmit the record in the case involving the other precincts, and when the motion came on to be heard, the Court of Appeals dissolved the injunction affecting the precinct set out in the record which had been transmitted, and issued a rule against the Clerk of the Clinton Circuit Court, requiring him to transmit the record of the other case. The election officers were then required to give notice, fixing another date for the hearing of the motion to dissolve the remaining injunction. This notice, together with the statutory fee, was delivered to the Sheriff of Clinton county, who refused to execute same, and for his refusal to so discharge his duty, the Court of Appeals was forced to and did inflict a fine against him for contempt of court. Notice was then placed in the hands of the Jailer of Clinton county, who executed same, and upon hearing, the injunction was dissolved. In the interim between the granting of the injunction by the Circuit Judge, and its dissolution by the Court of Appeals, the delay being caused by the failure of the clerk to transmit the record, and of the sheriff to execute the notice, the election officers reassembled, opened the ballot boxes and counted for Allen certain votes which they had previously determined should not be counted, and thereby produced the following result of the election in

Clinton county, which was certified to the County Election Commissioners, and by two of the said commissioners certified to the Commissioners of Wayne county, to-wit:

Allen	796
Dobbs	328
Allen's majority in Clinton Co.	468

Dobbs having received 464 majority in Wayne county, the recertification of the vote in Clinton county, in obedience to a void order issued by Circuit Judge, gave to Allen four majority in the district, and a certificate of election was awarded to him.

THE EVIDENCE.

E. Bertram, a member of the Election Commission of Clinton county, filed with his deposition a tabulation of the vote made by him before the injunction was granted by the Judge of the Circuit Court, which conclusively shows that the vote, as certified by the election officers of Clinton county in the regular way, gave to Allen, 755 votes, and to Dobbs, 330 votes.

The following election officers of Clinton county testified that the clerk of the election in certain precincts wrote the name of W. C. Allen on the ballot under the Republican device, before the ballot was delivered to the voters, without the voter being sworn, as is required by law, and that these ballots were by the election officers counted for Allen, and included in the certification which they made to the election commissioners.

J. C. Ewing, Clerk, Precinct No. 1, says he wrote the name of Allen on several ballots. W. W. Hopkins, Judge

of this precinct says, that the clerk wrote the name of Allen on at least fifteen or twenty ballots.

W. E. Ferguson, Judge of Precinct No. 8 says that the clerk wrote the name of Allen on not less than twelve ballots, and possibly as many as twenty ballots.

L. M. Bandy, Judge of Precinct No. 10, says that the clerk of this precinct wrote the name of Allen on at least twelve ballots.

G. S. Maupin, Judge of Precinct No. 3, says that the clerk wrote the name of Allen on six or eight ballots.

C. S. Long, Sheriff of Precinct No. 5, says that the clerk of this precinct wrote the name of Allen on seven or eight ballots.

From the evidence of election officers, W. E. Ferguson, W. W. Hopkins, D. F. Shirley, L. M. Bandy, G. S. Maupin and C. F. Long, we have the uncontradicted proof that in Precincts 1, 3, 4, 5, 8, 9 and 10 of Clinton county, the name of W. C. Allen was written by the clerk of the election on seventy-five (75) official ballots before they were delivered to the voters, without any of said voters being sworn or examined, as is required by law. The evidence of the election officers of Wayne county conclusively showed that in that county the clerk of the election in a like manner, and without the voters being sworn, wrote the name of Allen on one hundred and twenty (120) ballots, but there is an effort to contradict a part of the evidence as to Wayne county ballots.

The evidence shows that one hundred and twelve (112) ballots on which W. C. Allen's name had been written and the voter had stamped in the circle under the Republican device, and had failed to stamp in the square opposite the name of Allen were counted for Allen, and are included in

the certification made by the election officers of Wayne county.

Phelan Piercy, Sheriff of the election in Slickford Precinct No. 9, of Wayne county, testifies that seven or eight votes were counted for Allen when the ballot did not contain the name of Allen in any form or at any place thereon. These votes were counted because the voter had stamped in the square opposite the blank space in the Republican column left for representative.

ARGUMENT.

The election officers of Clinton county, at the time fixed by law, exercising the power vested in them, determined that three hundred and thirty (330) ballots had been properly cast for S. C. Dobbs, and seven hundred and fifty-five (755) had been properly cast for W. C. Allen. Thereafter the circuit judge coerced these same officers by void order of injunction to reassemble and change the judgment which they had entered so as to give Allen seven hundred and ninety-six (796) votes and Dobbs only three hundred and twenty-eight (328). The evidence of Mr. Piercy conclusively shows that the officers of one precinct in Wayne county, without any excuse for so doing, counted eight ballots for Allen when his name did not appear at any place on the ballot. So, if we give to Allen the votes which the circuit judge coerced the officers of Clinton county to cast for him, and take from him the eight votes counted for him in Wayne county where his name did not appear on the ballot, Dobbs is still elected by a majority of four. If the Legislature follows the statute governing the holding of elections and the construction given to this statute by the Court of Appeals, then it will be forced to see that all the ballots counted for Allen where the clerk wrote his name upon the ballot, should not be counted for Allen, and that all the ballots counted for Allen where

Allen's name was written upon the ballot and no mark appeared upon the ballot except under the party device should not have been counted for Allen. Section 1471 of the Kentucky Statutes directs that no ballot shall be rejected for a technical error which does not make it impossible to determine the voter's choice. The statute then provides how a voter may vote for a person other than those whose names are printed on the ballot: "By writing with black lead pencil under the designation of the office the name of such person, and placing to the right of such name cross (x) mark."

In Major vs. Barker, 99th Ky. 38, the Court of Appeals said: "In our view the statute (Section 1475) imperatively requires that the voter shall declare his disability on oath before his ballot can be marked for him by the clerk, and to permit the officer to assume either from the voter's appearance or from his own alleged personal knowledge that he is so disabled as to be unable to mark his own ballot, would be to open a door for wholesale evasion of the requirement of secrecy in the ballot. This rule may result in hardship to the individual voter in cases where the officers are neglectful of their duty in requiring the oath of disability to be made, but the requirement that the voter shall take the oath before the ballot can be marked and deposited, in order that he may be punished if he makes a false declaration, is, in our judgment, mandatory to the voter. A ballot so marked without the declaration on oath being made, is an illegal vote, and should be excluded."

In the case of Edwards vs. Loy, 113 Ky. 746, Edwards' name appeared upon the ballot under an Independent device for the office of Sheriff of Greene county. Neither of the dominant political parties nominated a candidate for this office. In one of the voting precincts of this county, the clerk of the election wrote the name of Loy on enough ballots

to have elected Loy over Edwards. These ballots were handed to the voter, and the voter stamped in the circle under the party device. The election officers counted these ballots as votes for Loy, and the Court of Appeals said: "The voters neither wrote the name of Loy on the ballot nor stamped in the square opposite the name after one had been written. Such ballots were not voted for Loy, and should not have been counted for him. It follows from this conclusion that Loy did not receive any votes at that election for the office of Sheriff. The election officers, in their returns, should not have certified any votes for him."

In the case of Graham vs. Graham, 68 S. W., 1093, which involved the same precinct and the same ballots that were involved in the case of Edwards vs. Loy, the Court of Appeals held that these ballots should be counted for all the candidates whose names appeared upon the ballots in the regular way, although they should not be counted for Loy, and in reference to the clerk writing the name of Loy on these ballots, said: "It was simply an abortive attempt of the electors to vote for Loy. The ballots could not be counted for him."

In the case of Cole vs. Nunnelley, 140 Ky., 138, the court, in referring to the statute (Section 1475) which I quote, said: "Under this statute it has been uniformly held that the provision that the voter be sworn is mandatory, and that a ballot marked before the requisite oath is taken, cannot be counted." And again, in the same case: "To allow a ballot to be counted which is not cast as provided by the statute would be to give no effect to the mandatory provision of the Constitution that elections shall be by secret ballot. It is manifest from the proof in this case that the officers and the voters acted in good faith, and there is much room for the argument that the voter should not be disfranchised simply by the failure of the election officers to do

their duty. But on the other hand, the Legislature clearly provided, pursuant to the Constitution, how those who are blind, illiterate, or physically disabled, may vote. We can not add to the terms of the statute, and to hold the statute directory would be to entirely destroy it; for then open voting could always be indulged in without affecting the result While there are hardships in the execution of the rule we have laid down, it may be readily seen that greater wrongs would follow from the other rule."

In view of the evidence, much of which is uncontradicted, we are of the opinion that Dobbs has received a majority of the votes, and in view of the fact that the circuit judge, the sheriff and the circuit clerk have shown an unwilling to permit a correct count of the ballots to be made, we are of the opinion that the certificate made by the two election Commissioners from Clinton County when coerced so to do by the circuit judge, should not be given any consideration.

BROWN & NUCKOLS,
JAMES GARNETT,
O. B. BERTRAM,
Attorneys for Contestant.

(I) BRIEF FOR CONTESTANT.

Thirty-sixth Legislative District of Kentucky.

S. C. DOBBS, - - - - - - - - - - - - - - Contestant.

vs. BRIEF FOR CONTESTANT.

W. C. ALLEN, - - - - - - - - - - - - - - Contestee.

STATEMENT.

This contest was instituted by S. C. Dobbs, contesting the right of the contestee, W. C. Allen, to serve as a member

in the House of Representatives at this session of the General Assembly of Kentucky, from the 36th Legislative District.

There are several grounds relied upon in the notice of contest, and we desire to take them up in the order in which they come.

First. The contestant claims that upon the face of the returns as made and certified by the various election officers from the voting precincts, that the contestant had received a majority of 39 votes over the contestee, W. C. Allen, in said district; that the Sheriff of Clinton county, and the Republican election commissioners, without authority and without right and in violation of law, certified to the election commissioners of Wayne county, whose duty it was to issue the certificate of election, that said Allen had received in Clinton county, for the office of representative, 796 votes, and that the contestant had received 328, and that this certification was fraudulent and wrongfully made.

Another ground of contest is that in various precincts where the name of W. C. Allen had been written upon the official ballot, that the voter stencilled in the circle under the Republican device, and did not stencil in the square opposite Allen's name, and that these votes were recounted and certified by the election officers from these precincts as having been cast for and counted for contestee, W. C. Allen; that in said district the clerk of the election, without the voter being sworn as to his disability, wrote the name of W. C. Allen upon the official ballot and under the Republican device, as a candidate for representative, and that various votes so cast and ballots so wrote upon were counted and certified as votes having been received by W. C. Allen.

Fourth. Because the election officers in some precincts

counted and certified for W. C. Allen, votes where the voter had just stencilled in the square opposite where Allen's name should have been written, but the name of Allen did not appear on the ballot at all in any place.

EVIDENCE.

We desire now to call the attention of the committee to the evidence in this contest.

Taking up the first ground of the contest, we wish to call the committee's attention to the tabulation of the vote received by the contestant, and contestee, in Wayne county, which shows, according to the tabulation that the contestant, S. C. Dobbs, received in Wayne county, for the office of representative, 1,254 votes; the contestee, W. C. Allen, received in Wayne county for the office of representative, 790 votes, giving to the contestant, Dobbs, a majority over the contestee, Allen, in Wayne county, of 464 votes.

The evidence as given by E. Bertram, at Albany, Kentucky, and from the exhibit filed and marked "A" with his deposition, shows that the contestant, Dobbs, received in Clinton county for representative, 330 votes; that the contestee, Allen, received in Clinton county, 755 votes; giving to the contestee, Allen, a majority of 425 in Clinton county. Or, in other words, according to the testimony of E. Bertram, and the certified copy of the tabulation in Wayne county, it shows that the contestant, S. C. Dobbs, received in said district, 1,584 votes, and that the contestee, Allen, received in said district, 1,545 votes, giving to the contestant, Dobbs, a majority of 39 over Allen.

The evidence of E. Bertram and the certification of the tabulation as made by the election commissioners of Wayne county, is undisputed in this record.

Now, we desire to take up the second ground of contest, and see whether or not the evidence shows, and if so, what it does show, in regard to votes having been counted for Mr. Allen where the voter stencilled in the circle under the Republican device, and did not stencil in the square opposite Mr. Allen's name.

Now, we desire to call the attention of the committee to the deposition of Sandy McKechnie, as found on page 6 of the contestant's depositions, taken at the law office of O. B. Bertram, in the town of Monticello, Kentucky. Mr. McKechnie says that there were as many as thirty votes counted and certified as having been cast for Mr. Allen, where the voter did not stencil in the square opposite Mr. Allen's name. On page 7, the same witness says that he will be positive that there were as many as thirty votes so counted.

On page 8 of the evidence taken for contestant at Monticello, T. R. Kelsey testifies that in his precinct, which was precinct No. 8 in Wayne county, that the officers in that precinct counted and certifies as having been cast for Mr. Allen, as many as fifty votes where the voter had not stencilled in the square opposite the name of W. C. Allen as written on the ballot.

The evidence of Ed Kinnett, shows that in precinct No. 5, in Wayne county, and also the evidence of L. C. Southerland, on page 13, shows in the same precinct, that there were counted and certified by the officers in that precinct not less than twelve votes as having been cast for W. C. Allen, where the voter had not stencilled opposite the name of Allen as written on the ballot.

According to the testimony of W. I. West, found on page 21, there were counted and certified for said Allen as many as twenty votes where the voter had stencilled in the circle

under the Republican device, and not in the square opposite Allen's name, making a total of 112 votes in Wayne county that were counted and certified as having been cast for and received by W. C. Allen in said county for the office of representative.

Now, taking up the third ground in regard to the clerks of the election writing the name of W. C. Allen on the official ballot for the voter, without the voter being sworn as to his disability, at any time, we desire to call the committee's attention to what the evidence shows:

The evidence of T. J. Roberts, found on page 16 of contestant's depositions in Wayne county, shows that the clerk in precinct No. 13, of Wayne county, wrote the name of W. C. Allen upon the official ballot as a candidate for representative from the 36th District, and under the Republican device, for as many as forty voters, without the voter being sworn as to whether or not he could read and write, and in fact, as shown by evidence of Mr. Roberts, many of them for whom the clerk wrote the name of W. C. Allen, on the ballot, could read and write, and according to the statement of the clerk, as testified to by Mr. Roberts, he wrote it for as many as one hundred.

The evidence of W. C. Kindrick, as found on page 25, in the same precinct, shows that there were from forty to seventy-five ballots on which the clerk wrote the name of W. C. Allen, without the voter being sworn, and that many of them could write.

By the evidence of W. I. West, as found on page 22, it is shown that in precinct No. 15, the clerk wrote the name of W. C. Allen on the official ballot for as many as twenty or thirty voters, many of whom could read and write.

By the evidence of Jeff Lovell, found on page 28, it is shown that the clerk of the election wrote the name of W. C. Allen on the official ballot for as many as sixty voters without any of them being sworn; making a total of the minimum number of ballots on which the name of W. C. Allen was written by the clerks without any of the voters being sworn in regard to their disability, of 120.

Taking up the fourth ground, it is shown by the evidence of Freel Piercy, on page 15, that there were not less than eight votes counted and certified as having been received by the contestee, Allen, in precinct No. 9, of Wayne county, where the name of Allen did not appear on the ballot at all, counted and certified as votes having been cast for the contestee, W. C. Allen.

There are two other points that I wish to call the attention of the committee to, and that is the evidence of Mr. Kelsey, in which he says that in his precinct, No. 8, of Wayne county, that there were counted for W. C. Allen, 15 votes, where the name of W. C. Allen has been written as a candidate for offices other than the office of representative, and also that there were as many as twenty votes counted for him where it was impossible to read the name, if a name, as written on the ballot.

From the evidence of E. M. Bertram, W. E. Ferguson, W. W. Hopkins, D. F. Shelly, L. M. Bandy, J. S. Maupin, and C. S. Long, all of Clinton county, and in precincts 8, 4, 1, 9, 10, 3, and 5, that the clerks of these precincts wrote the name of W. C. Allen on the official ballot under the Republican device, as a candidate for representative, for as many as seventy-five voters, without any of the voters being sworn as to their disability, making a total of 195 ballots in Clinton and Wayne counties upon which the name of W. C. Allen was written by the clerks of the election for the voters with-

out the voter being sworn as to his disability in any respect or in any manner, and, as shown by the evidence, in fact, many of the voters could read and write.

THE LAW.

In taking up the first ground as set out herein, the proof shows this state of facts, which is undisputed, that, according to the official returns and tabulation of the vote, the contestant herein, was duly elected as representative from the 36th Legislative District of Kentucky, to serve as its member in the present session of the General Assembly.

Passing to the question as set out in the second item herein, we wish to call the committee's attention to section 1471 of the Kentucky Statutes, which provides: "Nothing in this law contained, shall be so construed as to prevent a voter from voting for any qualified person other than those whose names are printed on the ballots, for any office to be filled, by writing with black lead pencil under the designation of the office, the name of such person and placing to the right of such name a X mark." The Court of Appeals, in construing this section of the statute in the case of Edwards vs. Loy, reported in 113th Ky. Reports, at page 746, said: "If Loy's name had not been printed on the ballot as a candidate for sheriff, the voter who desired to vote for him for the office of sheriff was authorized to write his name in the blank space left for that purpose and stamp a X in the square opposite his name, and when he had done so, and deposited the ballot in the ballot box, it could then have been counted for him. Section 1471, Ky. Statutes."

In taking up the next question in regard to the clerk writing the name of Allen for the voter, I desire to call the committee's attention to the case of Major vs. Barker, reported in 99th Ky. Report, at page 105. In passing upon the

duty of the voter in regard to being sworn before the clerk can instruct or mark or assist him in any manner in voting his ballot, the court said, that before this could be done that it was mandatory upon the voter to be sworn in regard to his disability, and further said, "This rule may result in hardship to the individual voter in cases where the officers are neglectful of their duty in requiring the oath of disability to be made, but the requirement that the voter shall take the oath before his ballot can be marked and deposited, in order that he may be punished if he make a false declaration, is in our judgment mandatory to the voter. A ballot so marked wthout the declaration or oath being made is an irregular vote and should be excluded."

And in the case of Cole, et al. vs. Nunley, et al., reported in 140th Ky., page 138, and on page 141 in that case the court said: "Referring to section 1475 of Kentucky Statutes, under this statute it has been uniformly held that the provision that the voter be sworn is mandatory, and that a ballot marked before the requisite oath is taken cannot be counted."

Taking up the fourth item, the law is that in order for a man to have votes counted for him, his name must appear upon the ballot. Votes cannot be counted as having been cast for a man where his name does not appear upon the ballot so counted and certified.

Taking up the next item, the law is that in order for a party to have votes counted for him, it must appear upon the face of the ballot that the voter intended to vote for the party who claims the vote, and for the particular office for which he was a candidate, or seeking the certificate of election. It must further appear upon the face of the ballot that the name undertaken to be written on the ballot, where it is not printed, must be legible.

ARGUMENT.

We start with this proposition: The contestant, S. C. Dobbs' name was printed upon the official ballot, regular and according to law. The contestee and his friends and supporters undertook to have his name written upon the ballot as a candidate for the office of representative from the 36th District.

Now, we take up the facts of this contest, and we find it to be thus, according to this evidence: That in precincts Nos. 4, 5, 8, 15, in Wayne county, there were counted for contestee, and certified to the election commissioners, by the precinct officers, 112 votes where the voter or the clerk had written the name of W. C. Allen under the Republican device and stencilled in the circle under the Republican device and not in the square opposite the name of W. C. Allen as it appeared on the ballot.

We further find that in precincts Nos. 13, 14, and 15, in Wayne county, Kentucky, that the clerk wrote the name of W. C. Allen upon 120 of the official ballots, without any of the voters being sworn as to whether or not they could read and write, or were so disabled that they could not vote the ballot themselves.

We further find that in precinct No. 9 of Wayne county, there were counted for the contestee, twenty ballots or votes where his name did not appear on the ballot at all.

We further find from the evidence that in precinct No. 8, of Wayne county, there were counted and certified as votes having been cast for the contestee, thirty-five ballots or votes, on twenty of which the name could not be read at all, or it could not be ascertained whose name was undertaken to be written upon the ballot, and fifteen where the name of

the contestee was written upon the ballot as candidate for offices other than that of representative.

We find from the evidence that in precincts Nos. 1, 3, 4, 5, 8, 9, and 10, of Clinton county, the clerk wrote the name of the contestee, W. C. Allen, upon seventy-five ballots without the voter being sworn as to whether or not he could read and write, or was in any respect disabled from writing the name himself; making a total, we submit, of 362 votes that were illegally counted and certified for the contestee, that is, placing the number of votes as testified by witnesses, at the minimum, and there were over four hundred illegal votes, basing it upon the maximum number of illegal votes.

We submit that if the secrecy of the ballot can be invaded, and given the character of publicity, as has been done in this case, then we no longer, in Kentucky, have any form of a secret ballot. This evidence shows that in many precincts, without the voter's request and without any inclination upon his part to cast his vote for the contestee, that the voter was interrogated by the Republican election officers as to whether or not he wanted to cast his ballot for the contestee, W. C. Allen.

Now, if these votes are illegal, and we submit that the authorities cited herein hold that these provisions of our election law are mandatory—then each and every vote is illegal and void, and should not have been counted. But, giving to the contestee, each and every ballot claimed by him in the evidence, and what does it show? It shows this state of facts: Conceding that the testimony of contestee's witnesses are true, and that the contestant is only entitled to, or counted, two votes in No. 8 precinct in Wayne county, then you would deduct from that vote, eighty-three, then according to the evidence, and giving to the contestee the maximum number of votes claimed by hm, according to his testimony,

in precinct No. 3 in Wayne county, 25; giving to him the maximum number of votes, according to his testimony, in precinct No. 11 in Wayne county, 20; giving to him the maximum number of votes, according to his evidence, in precinct No. 7, 20; and giving to him what J. A. Brown says, that there were 30 from precinct No. 9 that were denied the right of suffrage by reason of the clerk refusing to write; and then the contestant is only complaining of being kept out of 178 votes in Wayne county. Take 178 votes from 362 and you leave Dobbs a majority of 184.

Is this committee going to stand by a set of men that are sworn to faithfully and honestly discharge the duties of officer of the election, who will stand in the sacred voting room and openly and boldly and in violation of law, electioneer and request the voter to vote for a certain man? If you do, then you open the ballot box in our section of the State to an absolute and inconceivable fraud in every election we have.

They do not undertake to show by evidence, or in any manner, the reason why they would change the vote in Clinton county from 755 to 796. They do not undertake to show and tell why they would cut Dobbs from 330 to 328. Neither do they undertake to show that the election wasn't conducted and the vote counted just as testified to by witnesses taken in that county.

The proof shows this fact: Here is an election held; the returns have been made; the canvass has been complete, with the exception of two precincts, and when they discovered that they have been defeated, notwithstanding the open violation of the law, then under the pretended judgment of a circuit judge, these men come back, they open the ballot boxes and made a recount, and for what purpose? For no

purpose except to change the returns so as to overcome the majority of the contestant in this case.

(J) SUPPLEMENTAL BRIEF FOR CONTESTANT.

According to the certification of the election officers, upon which the certificate was awarded to W. C. Allen, the results in the two counties were:

	Wayne Co.	Clinton Co.	Total
Allen	790	796	1,586
Dobbs	1,254	328	1,582
Majority for Allen			4

Contestant, Dobbs claims in the first place, that the above certification from Clinton county is incorrect and invalid. That as the result in that county was originally certified by the precinct officers on the day of election, the vote in that county stood:

Allen	755
Dobbs	330

Using these figures with the vote as certified from Wayne county, would give the following result:

	Wayne Co.	Clinton Co.	Total
Allen	790	755	1,545
Dobbs	1,254	330	1,584
Majority for Dobbs			39

The reason why contestant Dobbs claims the certification from Clinton county is invalid, is because it was made by the precinct officers some days after the election, by open-

ing the ballot boxes and recounting the vote in some precincts of Clinton county, after they had, on the day of election, counted the votes and certified the returns, a thing that they had no right or authority to do.

In addition to the foregoing, contestant Dobbs claims many votes were counted for Allen that ought not to have been counted for him. This is shown by the following table:

WAYNE COUNTY.

Precinct No. 4.

Number of ballots upon which the name of Allen was written and upon which the vote was stencilled in the circle under the device and not in the square opposite Allen's name. (Witness Sandy McKechnie, page 5)	30

Precinct No. 8.

Number of ballots upon the name of Allen was written and upon which the voter stencilled in the circle under the device and not in the square opposite Allen's name. (Witness T. R. Kelsey, page 8)	50

Precinct No. 5.

Same sort of invalidity. (Witness Ed Kinney, page 11, and L. C. Sutherland, page 13)	12

Precinct No. 15.

Same sort of invalidity. (Witness W. I. West, page 21)	20

Precinct No. 13.

Number of ballots invalid because Clerk wrote the name of Allen thereon without voter being sworn as to his ability to write. (Witness T. J. Roberts, page 16, and W. C. Kendricks, page 25) ..... 40 to 75

Precinct No. 15.

Number of ballots void for same reason. (Witness W. I. West, page 22) ..... 20 to 30

Precinct No. 14.

Number of ballots void for same reason. (Witness Jeff Lovell, page 28) 60

Precinct No. 9.

Number ballots counted for Allen when his name did not appear on ballot. (Witness Friel Piercy, page 15) 8

Precinct No. 17.

W. C. Mercer (page .....) says clerk wrote name of Allen on 10

Precinct No. 8.

Ballots counted for Allen for representative where his name was written in blanks under other offices and not in the blank for representative. (Witness T. R. Kelsey, page 8) 15

Total number of ballots in Wayne county counted for Allen, which should not have been counted for him ..... 265 to 340

CLINTON COUNTY.

Precincts Nos. 1, 3, 4, 5, 8, 9 and 10.

Number ballots upon which the name of Allen was written by clerk, vote not having been sworn. (Witness E. M. Bertram, page .....); (E. Ferguson, page .....); (W. W. Hopkins, page .....); (D. F. Steeley, page .....); (L. M. Bandy, page .....); (J. S. Maupin, page .....) and (C. S. Long, page .....) 75

Total number ballots in two counties counted for Allen which should not have been counted for him..... 340

Deducting these 330 votes from the 1,586 certified for Allen, leaves his true vote 1,286, or 306 less than the number of votes certified for Dobbs. Dobbs' majority, therefore, is 306 votes.

The committee will understand that the foregoing majority of 306 votes for contestant Dobbs is arrived at by taking in every instance the minimum of the estimated number of illegal votes counted for Allen in the various precincts as given above by the witnesses.

The committee is relieved of the embarrassment of passing upon the question of veracity of witnesses in arriving at a conclusion in this matter, because the case is remarkably free from any conflict of testimony, and in the only instance in which there is any such conflict, the testimony of the contestant's witness may be entirely disregarded, and that of the contestee's witness taken as true, and yet the result of the contest will not be affected. It will simply reduce the majority which we think the proof shows Mr. Dobbs received.

The contestant may concede to the contestee all that he

claims, even to the ridiculous extent of counting as voters for him those persons who are said to have stated that they would have voted for Allen if the clerk would have written his name on the ballots for them, although they were not sworn as to any disability and did not ask to be sworn, and still Mr. Dobbs is shown to have been elected by a majority of 132 votes. That this is true appears from the following tabulation:

WAYNE COUNTY.

Precinct No. 8 (Powersburg.)

This is the precinct in reference to which there is a conflict of evidence. The contestant's testimony shows, as appears from the tabulation given heretofore, that there were 50 votes in this precinct which should not have been counted for Allen, because the voters merely stencilled in the circle under the device and not in the square opposite his name, and that there were 15 votes counted for him, where his name was written in blanks under other offices and not in the blank for representative. The testimony for the contestee is to the effect that there were no such votes counted for him. We will therefore deduct from Mr. Dobb's majority as heretofore shown 65

In addition to this there is some testimony for the contestee that a maximum of 20 votes were not counted for Allen in this precinct because his name appeared in columns other than the Republican column. We will, therefore, add to Allen's vote in this precinct 20

Precinct No. 3.

In this precinct there is some testimony for the contestee that there were some ballots upon which the

name Bill Allen was written, which were not counted for W. C. Allen. We will, therefore, add to Allen's vote the maximum of these ballots as fixed by his witness..... 6

Precinct No. 11.

There is some testimony that in this precinct some ballots were marked with a pencil and voted in the squares that were not counted for Allen. We will, therefore, add to his vote the maximum of these ballots as fixed by the witness..... 25

Precinct No. 15.

There is some testimony that there was not counted for Allen in this precinct some ballots because his name appeared in other columns than the Republican column. We will therefore add to his vote the maximum of these ballots as fixed by the witness 8

Precinct No. 7.

There is some testimony that a number of voters who could not read or write who said that they would have voted for Allen but did not do so because the clerk refused to write his name on their ballots. It is to be noticed that they were not sworn as to their disability and that they did not ask to be sworn, but we will add to his vote the maximum number of voters as fixed by the witness..... 20

Precinct No. 9.

In this precinct J. A. Brown, a witness, says that a number of voters told him that they would have

voted for Allen but did not do so because the clerk would not write his name on their ballots. They were not sworn and did not ask to be, but we will add to his vote the maximum of said voters as fixed by the witness..... 30

Total number of votes to be deducted from Dobbs' majority of 306 votes on the various grounds above set out 174

Therefore, after allowing every claim made by Allen, and giving him the benefit of every contradiction in the evidence, Mr. Dobbs is shown to have a clear majority of 132 votes.

The sole question in this case is really whether the committee and the House of Representatives is to follow section 1471 of the statutes, which provides how a person whose name is not printed on the ballot may be voted for, as that section has been construed by the Court of Appeals in the two cases of Edwards vs. Loy, 24 K. L. R. 545, and Graham vs. Graham, 24 K. L. R. 548.

It would seem from the reading of that statute that the Legislature has neglected to provide how a voter who cannot read or write may vote for a person whose name is not printed on the ballot. Section 1475 provides how a person who cannot read or write may vote for a candidate whose name is not printed on the ballot. By that section he must first be sworn and state under oath that he is unable to write. The officers of election are then authorized to indicate by pencil dot where he must stencil in order to vote for his choice of candidate. If a liberal construction is to be given to Sec. 1471 so as to allow a person who cannot read or write to vote for a person whose name is not printed on the ballot, then certainly his disability to read or write should appear

as indicated in Sec. 1475, that is, by his own statement under oath, before the clerk or any other person would be authorized to write the name on the ballot for him.

BROWN & NUCKOLS,
JAMES GARNETT,
O. B. BERTRAM,
Attorneys for Contestant.

(K) JUDGMENT IN CLINTON CIRCUIT COURT.

Clinton Circuit Court, Nov. 8, 1915.

W. C. ALLEN, - - - - - - - - - - - - - - Plaintiff,

vs.

W. E. FERGUSON, &c., - - - - - - - - Defendants.

JUDGMENT.

This cause this day came on for hearing before the undersigned judge of the 28th Judicial District, in vacation, and was submitted upon the pleadings, affidavits and exhibits on file, for opinion and judgment, and the said judge being advised, is of the opinion that the plaintiff is entitled to the relief sought.

It is, therefore, ordered by the said judge that the temporary restraining order herein against the defendants: E. Bertram, Blain Campbell and C. P. Huff, Sheriff of Clinton county, as Election Commissioners for said county, be and the same is hereby made permanent.

It is further ordered by the said judge that the defendants, W. E. Ferguson, Moses Tuggle, J. W. Booher and J. A. Riddle, election officers of highway precinct in Clinton county, at and for the regular November election, 1915, be,

and they are, hereby commanded to assemble in the County Court Clerk's office at Albany, Kentucky, at the hour of 1 o'clock P. M., on Thursday, Nov. 11, 1915, and open the ballot box for said voting precinct used at said election and count and certify for W. C. Allen, candidate for the office of representative from the 36th Legislative District, all votes which were cast for him in columns other than Republican column, by writing his name therein in addition to the votes previously counted for him in the Republican column, and that the defendants W. A. York, Asa York, H. H. Marcum and C. S. Long, election officers for Piney Woods voting precinct at said election, be and they are hereby commanded to assemble at the same time and place and open the ballot box of said voting precinct and count and certify for the plaintiff, W. C. Allen, all votes cast for the said W. C. Allen, by writing his name on the ballot, in all columns on said ballot, in addition to the vote previously counted for him in the Republican column, and that defendants J. J. Madison, D. F. Shelley, A. F. Craft and R. L. Sells, election officers for West Ill Will voting precinct in said county at said election, be and they are commanded to assemble at the same time and place and open the ballot box for said voting precinct, and count and certify for the plaintiff, W. C. Allen, all votes cast for the said W. C. Allen by writing his name on the ballot, in all the columns on said ballot, outside of the Republican column, in addition to the votes previously counted for him in the Republican column, and that the defendants J. T. Crawford, J. T. Murry, J. A. Cross, and L. M. Bandy, election officers for East Ill Will voting precinct in said county, at said election, be and they are hereby commanded to assemble at the same time and place, and open the ballot box for said precinct and count and certify for the plaintiff, W. C. Allen, all votes cast for the said W. C. Allen, by writing his name on the ballot in all columns other than the Republican column, for the aforesaid office, and that the defendants Willie Claborn, C. J. Talbott, M. A. Maupin and Ed Tompkins, be

and they are hereby commanded to assemble at the aforesaid time and place and open the ballot box for the said voting precinct, and count and certify for the plaintiff, W. C. Allen, for the aforesaid office, all votes which were cast for him in columns other than the Republican column by writing his name therein, in addition to the votes previously counted for him in the Republican column.

It is further ordered and directed by the said judge of the said court, that the aforesaid election commissioners for Clinton county be, and they are, hereby commanded to reassemble in the office of the County Court Clerk in the town of Albany, Kentucky, on Tuesday, Nov. 11th, 1915, at the hour of 3 o'clock, P. M., and proceed to canvass the returns for said election for Clinton county, including the returns as corrected and certified by the defendant election officers herein on said day, cast for the various candidates for representative in said election for the 36th Legislative District, and immediately thereafter certify the same as required by law. The plaintiff will recover of the defendants his cost herein expended.

The Clerk of the Clinton Circuit Court will file this order in the papers in this action, and make true copies thereof and deliver to the Sheriff of Clinton county, to be served on each of the defendants herein.

B. J. BETHURUM,
Judge of the 28th Judicial
District of Kentucky.

A Copy Attest:
J. A. FLOWERS,
Clerk Clinton Circuit Court.

This order or judgment is dissolved this the 20th day of November, 1915.

SHACKELFORD MILLER,
Judge Kentucky Court of Appeals.

The committee heretofore appointed by the Speaker to hear the evidence and report to this House in the contest proceedings of S. C. Dobbs, Contestant vs. W. C. Allen, Contestee, filed the following majority report, viz.:

To the House of Representatives of Kentucky:

We, the undersigned members of the Contest Committee drawn to try the questions of law and of fact arising and appertaining to the contest now before this House of S. C. Dobbs against W. C. Allen, the sitting member of the House from the Thirty-sixth Legislative District of Kentucky, composed of the counties of Wayne and Clinton, beg leave to report as follows:

That the following committee, composed of Frank J. Brown, W. P. Cropper, J. M. Elliston, J. R. Dorman, J. M. Howell, Thomas Spurrier and G. H. Carey, did on the 5th day of January, 1916, begin the hearing of said contest and since that time have had same under consideration. Contestant and contestee were both present in person and by counsel; contestant being represented by Messrs. Brown & Nuckols, of Frankfort, James Garnett, of Louisville, and O. B. Bertram, of Monticello; and the contestee being represented by Thomas B. McGregor, of Frankfort, and J. C. Davis, of Monticello.

The grounds set forth in the notice of contest were numerous, and complained of irregularities in the manner of voting in a number of the precincts in both Wayne and Clinton counties as follows:

(1) Because the certification of the vote received by contestee as made by the Election Commissioners of Clinton county, and certified to the Board of Election Commissioners of Wayne county, is not true, in that they certified that said

contestee had received 796 votes, when in fact the returns as made by the election officers and filed in the office of the County Clerk of Clinton county, showed by the tabulation of the Election Commissioners in Clinton county that at the November election of 1915, the contestee had received in Clinton county 753 votes.

(2) It is contended that in the various precincts in Wayne and Clinton counties, the clerk of the election at said precincts wrote the name of W. C. Allen on the ballot for voters without the voter being sworn as to whether or not he could read or write and these votes were counted and certified by the election officers as having been voted for W. C. Allen for representative.

(3) That in a number of said precincts in Wayne and Clinton counties, where the clerk of the election had written the name of W. C. Allen upon the official ballot to be voted for for the office of representative under the Republican column, that the voters voted in the circle under the Republican device and did not stencil in the square opposite the name of said Allen, the contestee, and that said votes were counted and certified by the election commissioners as having been voted for said W. C. Allen for representative.

(4) That in some of said precincts in Wayne and Clinton counties the name of W. C. Allen was written upon the official ballot at various places on said ballot other than in the Republican column, and voted for for various offices other than that of representative, and that these votes were counted and certified by the election commissioners as having been voted for W. C. Allen for representative.

(5) That in Precinct No. 9, of Wayne county, the election officers counted and certified votes as having been voted for W. C. Allen for representative, when the name of W. C.

Allen did not appear upon the official ballot in any way, and only dots and cross marks were made in the square opposite the place where the name could have been written.

The proof offered in this case consisted entirely of a great number of depositions and exhibits offered by contestant and contestee, all of which your committee heard read, and has since carefully gone over same, and after hearing and considering the evidence offered, and the argument of counsel, we have reached the following conclusion:

We find from the evidence that in Precinct No. 4, Wayne county, there were 30 ballots upon whch the name of W. C. Allen had been written in the blank space for representative in the Republican column and were voted by being stencilled in the circle under the Republican device, but were not stencilled in the square opposite the written name of W. C. Allen and that the said 30 votes were counted and certified as having been cast for him, when, in the opinion of the committee, they should not have been counted for him.

We further find from the evidence that in Precinct No. 4, Wayne county, one ballot was cast upon which the name of W. C. Allen was written in the Democratic column and that one ballot was cast in which the name of W. C. Allen was written in the Progressive column; that these two ballots were counted and certified as votes for W. C. Allen when in the opinion of the committee neither of them should have been counted for him.

We find from the evidence that in Precinct No. 5, Wayne county, that there were 12 ballots upon which the name of W. C. Allen had been written in the Republican column on the blank space for Representative and were voted by being stencilled in the circle under the Republican device, and were not stencilled in the square opposite the said Allen's name, and that said votes were counted and certified as having

been voted for said W. C. Allen, when, in the opinion of this committee, said 12 votes should not have been counted for said W. C. Allen.

We find from the evidence that in Precinct No. 15, Wayne county, there were 20 ballots upon which the name of W. C. Allen had been written in the Republican column in the blank space for representative and were voted by being stencilled in the circle under the Republican device and were not stencilled in the square opposite said Allen's written name, and that said votes were counted and certified as having been voted for said Allen, when in the opinion of this committee said 20 votes should not have been counted for said Allen.

We find from the evidence that in Precinct No. 9, there were 12 ballots upon which the name of said W. C. Allen had been written in various places and under various devices other than the Republican device which were counted and certified as having been voted for said Allen for representative when in the opinion of this committee said 12 votes should not have been counted for said Allen.

We further find from the evidence that in Precinct No. 9, Wayne county, there were eight ballots upon which the name of W. C. Allen did not appear at any place and which ballots were marked by a dot or stencil in the square opposite the blank for representative under the Republican column and that these eight votes were counted and certified by the election officers of said precinct as having been voted for the said W. C. Allen, when in the opinion of this committee said eight votes shall not have been counted for said Allen.

The committee further finds that from the uncontradicted evidence that there were 224 ballots in the two counties which were counted and certified as votes for W. C.

Allen, upon which the various clerks of election had written the name of W. C. Allen before the ballots were delivered to the voter without the voters being sworn as to their inability to read and write, and your committee is of the opinion that these votes should not have been counted for said Allen.

We find from the evidence that in the following precincts of Clinton county, to-wit: No. 5, there were 16 ballots; No. 8, there were 8 ballots; No. 9, there were 2 ballots, and in No. 10, there were 5 ballots, making a total of 31 ballots upon which the name of W. C. Allen was written in various places upon the official ballot other than in the blank space for representative in the Republican column.

We also find from the evidence that there were 25 ballots upon which the name of W. C. Allen was written in the blank space for representative in the Republican column, and which ballots were voted by being checked with a lead pencil in the square opposite said Allen's written name that were not counted by the election officers as having been voted for him, when in the opinion of this committee the said 25 votes should have been counted for said Allen.

It appears from the foregoing that there are to be deducted from the official vote as certified for W. C. Allen, the following number of votes:

In Wayne county, for the various reasons given above	84
In Clinton county, for the various reasons given above	31
In both counties, being ballots upon which the clerks of election wrote the name of Allen before same were delivered to the respective voters	

(and being in addition to the ballots above set out)	224
Total	339
The official vote as certified for Allen is	1,586
To be deducted as above	339
Remainder	1,247
votes, to which are to be added the votes above found to be properly cast for him and not counted for him	25
Making a true vote for W. C. Allen of	1,272
The official vote as certified for Dobbs, contestant	1,582
The true vote for Allen as fixed by the committee is	1,272
The true majority for Dobbs, contestant, is	310

It is perhaps proper for the committee to state in its report that the name of W. C. Allen was not printed upon the official ballots as prepared by the county clerk, and that it was necessary for persons desiring to vote for him to write his name upon the ballot.

Your committee finds that contestant S. C. Dobbs is the legally elected representative of the Thirty-sixth Legislative District of this branch of the General Assembly by a majority of 310 votes and that said S. C. Dobbs is entitled to the seat now held by contestee W. C. Allen.

We return herewith all of the papers offered to or considered by the committee.

All of which is most respectfully submitted to this honorable body this 28th day of January, 1916.

G. H. CARY, Chairman,
FRANK J. BROWN,
W. H. CROPPER,
J. M. ELLISTON,
J. R. DORMAN,
J. M. HOWELL,
Contest Committee.

Mr. Tom Spurrier of the Contest Committee appointed to hear the evidence and report to this House in the contest proceedings of S. C. Dobbs, Contestant vs. W. C. Allen, Contestee, filed a minority report as follows, viz.:

S. C. DOBBS, - - - - - - - - - - - - - - - Contestant,

vs.

W. C. ALLEN, - - - - - - - - - - - - - - - Contestee.

MINORITY REPORT OF CONTEST COMMITTEE.

As a member of the Contest Committee appointed by this honorable body to try the case of S. C. Dobbs, Contestant vs. W. C. Allen, Contestee, we respectfully beg leave to differ from the majority report of this committee, and submit the following:

From a careful consideration of the whole facts in this case we are of the opinion that W. C. Allen should retain his seat as a member of this honorable body.

The effect of all the proof for the contestant in the trial of this case was to take votes away from the contestee, W. C. Allen, and not a single vote was, or has been, attempted to be taken away from the contestant, S. C. Dobbs.

In our judgment it is beyond any question of doubt that W. C. Allen received a fair majority of the legal votes cast in the 36th Legislative District of Kentucky for representative, and that he is the duly elected and qualified representative of the people of that district in this body.

Without going into a detailed consideration of the proof in each of the various precincts involved in this contest in the counties of Clinton and Wayne, we beg to advise that upon a recapitulation of the votes as shown by the testimony in the record which was had before the Contest Committee as affects Wayne county, shows that by counting the minimum votes as contested by S. C. Dobbs, that he contests 157 votes. It is shown in that county from the proof that the contestee, W. C. Allen, claims to have been counted out and kept out of together, 191 votes that should have been cast and counted for him, making a difference between the two numbers of thirty-four votes in favor of the contestee, W. C. Allen. Counting by the maximum figures made by the witnesses on both sides as affects Wayne county, it is shown that S. C. Dobbs contests 337 votes and that W. C. Allen claims that he was deprived of 348 votes by reason of the fact that they were not counted for him when cast and that the clerks of the various election precincts refused to write his name for the voters who could not write, and this leaves a difference of eleven votes in favor of the contestee, W. C. Allen.

In Clinton county upon recapitulation of the proof for both contestant and contestee from the minimum figures, S. C. Dobbs contests seventy-five votes and the contestee, W. C. Allen, claims thirty-one votes more than were counted for him, the difference of which is forty-four votes, exactly the number that W. C. Allen gained upon the recount of the votes in that county by the Election Commssioners of Clinton county under the order of Circuit Judge B. J. Bethurum

of the 28th District of Kentucky, whose decision directing the recount of the ballots was upheld a few days later by the Court of Appeals of this State in the case of Graham against R. R. Treadway from McCracken county, reported in 166 Kentucky Report, page 768. Hon. R. R. Treadway is now serving as a member of this honorable body as a result of the decision of the courts upholding the right and duty of the election commissioners to recount.

Taking into consideration all of the evidence produced before the Contest Committee it is clearly shown that by summing either by the minimum or maximum votes on either side that the contestee, W. C. Allen, is entitled to undisputed possession of the seat to which he has been elected by the people of the 36th Legislative District and which seat he occupies in this body.

We, therefore, respectfully ask that this House of Representatives adopt this minority report instead of the report delivered by the majority of this committee.

Respectfully submitted.

TOM SPURRIER.

Mr. Tartar moved that the said two reports made by the Contest Committee be made the special order of the day on Wednesday, February 2, 1916, at 10:30 o'clock A. M.

Said motion was agreed to.

Mr. Nichols offered the following joint resolution, viz.:

JOINT RESOLUTION OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY.

Whereas, the Congress of the United States by an act commonly called the Smith-Lever bill, approved May 8th,

1914, appropriated certain sums of money for the promotion of Extension Work in Agriculture and Home Economics in the various States; and

Whereas, by the terms of said act, it is necessary for the Legislature of the various States to formally accept the terms and benefits of said national act in order that the States may enjoy the benefits thereof;

Now, therefore, Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the State of Kentucky accept the provisions and terms of the Smith-Lever bill and the Trustees of the State University of Kentucky, Lexington, Kentucky, are hereby authorized to receive whatever funds accrue to the State of Kentucky under said act and to apply them to the promotion of Extension Work in Agriculture and Home Economics in this State as by the terms of the national act required and for no other purpose whatever.

Ordered that said resolution lie on the clerk's desk.

A message was received from the Senate announcing that they had passed a bill which originated in that body, of the following title, viz.:

S. B. 51. An act to amend section 54 of the Constituton.

To the Committee on Constitutional Amendments.

Also that they had adopted a joint resolution of the following title, viz.:

S. Res. 11. Resolution relating to appropriation committees.

To the Committee on Appropriations.

Mr. Oliver moved that this House grant to Mr. Bratcher an indefinite leave of absence.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Gardner, of the Committee on Agriculture:

H. B. 86. An act to regulate the running at large of cattle and prescribing penalties and regulations against cattle entering the grounds of another from a public highway.

With an amendment thereto.

By Same:

H. B. 131. An act to amend and re-enact section 68a, Kentucky Statutes, Carroll's edition, 1915, relating to dogs and the promotion of the sheep industry.

In accordance with House Rule 38, relating to what shall constitute a reasonable or unreasonable length of time for a committee to consider and report a bill, Mr. Greene moved that the House determine whether or not the Committee on Alcoholic Liquor Traffic to which the same had been referred, had had under consideration House Bills 5 and 6 a reasonable length of time.

Said motion was agreed to.

The yeas and nays being called for by Messrs. Greene and Bailey on the question as to whether or not the Com-

mittee on Alcoholic Liquor Traffic had had under consideration a reasonable length of time House Bills 5 and 6, were as follows:

Those who voted in the affirmative were—

W. C. Allen	A. B. Holland	Richard Radcliffe
H. F. S. Bailey	David J. Howard	John T. Roach
G. G. Brashear	R.B.Hutchcraft,Jr.	L. M. Smith
W. H. Brown	R. B. Jackson	E. D. Smith
E. Bullock	J. M. Johnson	Thomas Spurrier
Henry A. Cannon	T. R. Jones	Ed. D. Stone
Glover H. Cary	W. H. Jones	Bannie Tabor
A. S. Cooper	H. Clay Kauffman	R. C. Tartar
S. B. Coleman	W. T. Lasley	J. H. Thompson
W. P. Cropper	W. R. Lyon	Robt. R. Treadway
R. T. Crowe	Claude D. Minor	J. Wood Vance
James S. Cruse	E. B. McGlone	J. W. Wall
H. C. Cummins	W. J. McMurray	John S. Webb
Frank C. Greene	L. T. Neat	Frank M. White
C. H. Grimes	C. B. Nichols	J. D. Wills
J. S. Hall	A. J. Oliver	E. G. Young
L. B. Hamilton	A. B. Pieratt	
W. B. Harvey	Harry P. Purnell	—52

Those who voted in the negative were—

Peter Ampler	W. G. Gooch	S. Mazyck O'Brien
Geo. B. Barrett	W. C. G. Hobbs	William A. Perry
Frank J. Brown	J. M. Howell	Geo. L. Pickett
R. A. Cook	Chas. L. Hunter	W. A. Price
Jas. R. Dorman	Wm. J. Kuh	J. D. Pumphrey
Thomas A. Dover	Dr. J. E. Lilly	D. S. Richardson
W. E. Dowling	Dr. C. W. Mathers	Lewis Ryans
William Duffy	Jacob Metzger	Claude B. Smith
Odie Duncan	Harry J. Meyers	John W. Snider
J. M. Elliston	John T. Murphy	D. B. Tyra
T. T. Gardner	B. F. McAtee	Louis E. Yewell

—33

And so said question was decided in the affirmative.

Mr. Greene moved that the vote by which said question was decided in the affirmative be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Harvey moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Greene moved that the Committee on Alcoholic Liquor Traffic to which the same had been referred, report House Bills 5 and 6, and that same be given a first reading and placed in the calendar.

Said motion was agreed to.

By Mr. Barrett, of the Committee on Alcoholic Liquor Traffic:

H. B. 5. An act relating to the sale of Intoxicating Liquors and the suppression of places where such liquors are sold or used or kept for sale or use contrary to law.

By Same:

H. B. 6. An act to provide for the forfeiture of license to sell intoxicating liquors and giving jurisdiction to hear such proceedings to the Judge of the Franklin Circuit Court, at Frankfort, Kentucky.

By Mr. McMurray, of the Committee on Judiciary:

H. B. 93. An act to regulate the admission of attorneys to practice law.

By Same:

H. B. 194. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 158. An act to amend and re-enact section 4203, Kentucky Statutes, etc.

By Same:

H. B. 222. An act to amend and re-enact section 4692, Kentucky Statutes, edition 1915, relating to State depositories.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 170. An act to amend and re-enact section 1243, Kentucky Statutes, relating to petit larceny.

By Same:

H. B. 169. An act to amend and re-enact sections 3194 and 3195 of the Kentucky Statutes, relating to the sinking fund in cities of the second class.

By Same:

H. B. 171. An act to amend and re-enact section 1256 of Kentucky Statutes relating to unlawful taking and injuring property.

By Same:

H. B. 221. An act relating to the election, terms, qualifications, salaries and duties of commissioners to constitute the fiscal court in counties having cities of the first class and providing for clerks and for payment of salaries and expenses; also providing penalties for failure to perform duties.

By Same:

H. B. 101. An act to amend charters of cities of the first class and to authorize cities of the first class to support by the levy of a tax or otherwise a municipal university.

With an amendment thereto.

By Mr. Coleman, of the Committee on Public Roads and Highways:

H. B. 213. An act regulating the width of tires, and the limit of load that may be hauled over any turnpike or gravel road.

With an amendment thereto.

By Same:

H. B. 164. An act to amend an act entitled "An act to create and establish a system of public State roads and to provide for the construction and maintenance of same,"

being chapter 87 of the Acts of 1914; approved March 24th, 1914.

With an amendment thereto.

By Same:

H. B. 261. An act to provide for the construction and reconstruction and maintenance of through main routes of travel.

By Mr. Yewell, of the Committee on Public Ditches and Fences:

H. B. 45. An act creating the office of Supervisor of Ditches, Public Drains (Non-navigable) and prescribing the duties of same in counties containing more than 250,000 population.

By Mr. L. M. Smith, of the Committee on Public Utilities:

H. B. 116. An act to authorize any city in this State owning its own water or light plant and furnishing water and light to such city to furnish water or light to any other city in this State, and to authorize any city in this State to contract for water and light from any city owning its water or light plant and furnishing water and light.

By Mr. Nichols, of the Committee on State University and Normal Schools:

H. B. 228. "An act to amend an act approved March the 21st, 1906, entitled 'An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal

Executive Council which shall determine the requirements for admission and graduation and the courses of study for said schools, to create a commission, which shall determine the location of said schools, and to appropriate funds for their maintenance,'" approved March 24, 1908.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Kauffman, of the Committee on Kentucky Statutes, to which the same had been referred, moved that House Bills 162, 215 and 225 be re-referred to the Committee on Fish and Game.

Said motion was agreed to.

Mr. Nichols, of the Committee on State University and Normal Schools, to which the same had been referred, moved that House Bill 144 be re-referred to the Committee on Appropriations.

Said motion was agreed to.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. Res. 5. Resolution directing Auditor of Public Accounts to refund certain money due saloon keepers who had paid State licenses in excess of the period they were allowed to sell.

H. B. 72. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Sixth Judicial District.

With an amendment thereto.

H. B. 146. An act to change the time of holding the regular terms of the circuit courts in the county of Cumberland in the 29th Judicial District.

H. B. 59. An act to regulate the holding of the terms of circuit courts in the Thirty-fourth Judicial District.

H. B. 62. An act to regulate the holding of the terms of the circuit court in the Thirty-fourth Judicial District.

H. B. 63. An act to regulate the time of holding the terms of the circuit court in the Twentieth Judicial District.

H. B. 75. An act changing the times for holding the sessions of circuit courts of the Twenty-first Circuit Court District of Kentucky.

H. B. 129. An act changing the time of holding circuit court in the Fifth Judicial District.

H. B. 82. An act prohibiting the use or discharge of firearms or other dangerous missiles by persons on steamboats or other crafts traversing or navigating the streams within this State or while moored to the bank.

With an amendment thereto.

H. B. 27. An act making it a misdemeanor to abandon or wilfully neglect to provide for the support and maintenance by any person or his wife or his or her minor children in destitute or necessitous circumstances.

H. B. 143. An act to repeal section 1649b, Kentucky Statutes, known as the anti-sweating law.

H. B. 135. An act to amend an act entitled "'An act

to incorporate the Kentucky Confederate Home and provide for the maintenance thereof," approved March 27, 1902; amended March 26, 1904, March 21, 1906, March 19, 1910, and March 18, 1912.

H. B. 147. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

H. B. 92. An act to amend the Kentucky Statutes, article 10, section 4464, relating to graded common schools, being the same as chapter 12, section 155, of the common school laws of Kentucky.

H. B. 172. An act to amend subsection 8 of section 4489, chapter 113, Kentucky Statutes (Carroll's edition, 1909) relating to the issuing of school improvement bonds.

H. B. 150. An act to further amend sections 124 and 143 of an act entitled "An act providing for the creation and regulation of private corporations, which became a law April 5, 1893, as amended by an act entitled 'An act to amend an act entitled An act for the creation and regulation of private corporations, being an act relating to the subject of insurance and the transaction of the business of life or casualty insurance or both life and casualty insurance upon the co-operative or assessment plan, which became a law on June ....., 1910, and is chapter 103 of the Acts of 1910, and which sections are sections 661 and 680 of the Kentucky Statutes, Carroll's edition of 1915.'"

H. B. 145. An act to permit corporations organized for the purpose of transacting the business of life or casualty insurance, or both life and casualty insurance, upon the co-operative or assessment plan, to re-incorporate as life in-

surance companies on the mutual or stock plan; and providing means whereby, and the conditions on which, such reincorporation may be effected.

H. B. 145. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

H. B. 193. An act to amend an act entitled "An act concerning the State Inspector and Examiner," approved June 13, 1893.

H. B. 112. An act to amend section 3 of an act approved March 11, 1902, entitled "An act for the better enforcement of an act approved March 10, 1894, entitled 'An act whereby the sense of the people of any county, city, town, district, or precinct may be taken as to whether spirituous, vinous, or malt liquors shall be sold, bartered or loaned therein, and to amend section 4 of said act.'"

H. B. 230. An act to amend and re-enact sections 2059, 2060, and 2058, chapter 63 of the Kentucky Statutes, Carroll's editions of 1903 and 1915, relating to the State Board of Health.

With an amendment thereto.

S. B. 17. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

H. B. 120. An act providing for a progressive tax on direct and collateral inheritance.

H. B. 81. An act to repeal an act entitled "An act designating the method of selecting a person to act in the absence of, or disqualification of, a county judge," approved March 19, 1912, and known as chapter 139 of the session acts of 1912, and to re-enact section 1059 of the Kentucky Statutes of 1909, compiled by Jno. D. Carroll.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles, and ordered to be placed in the orders of the day.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 1, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer, of the Roman Catholic Church, of Frankfort, Kentucky.

The reading of the Journal of yesterday was dispensed with.

Mr. Pieratt moved that this House grant an indefinite leave of absence to Mr. E. S. Wood on account of illness.

Said motion was agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Jackson:

H. B. 369. An act to amend section 418a, Kentucky Statutes, Carroll's edition, 1915, relating to Congressional Districts.

To Committee on Redistricting, Congressional.

By Mr. Snider:

H. B. 370. An act to amend section 1358, subdivision 10 of article 4, chapter 35 of the Kentucky Statutes, Carroll's edition of 1909, entitled "Crimes and Punishments." Section 1358 refers to sale or concealment of mortgaged property and providing a penalty therefor.

To the Committee on Criminal Law.

By Same:

H. B. 371. An act to amend section 1697, subdivision 1 of article 15, chapter 46 of the Kentucky Statutes, Carroll's edition of 1909, entitled "Executions," as amended by chapter 120 of the Acts of the General Assembly of Kentucky of 1910.

To the Committee on Judiciary.

By Same:

H. B. 372. An act to amend section 1358, subdivision 10 of article 4, chapter 35, of the Kentucky Statutes, Carroll's edition of 1909, entitled "Crimes and Punishments."

Section 1358 refers to sale or concealment of mortgaged property and providing a penalty therefor.

To the Committee on Criminal Law.

By Mr. McMurray:

H. B. 373. An act to amend an act relating to the establishment, protection and building of levees for the public benefit, approved March 17, 1914.

To the Committee on Internal Improvements.

By Mr. Kauffman:

H. B. 374. An act to regulate the time of holding the terms of circuit court in the Thirteenth Judicial District and the length of said terms, and declaring an emergency.

To the Committee on Circuit Courts.

By Same:

H. B. 375. An act requiring railroad companies, persons or associations owning or operating a line of railroad in or through this State to place screens over all windows of passenger coaches and providing a penalty for the violation thereof.

To the Committee on Railroads.

By Mr. Roach:

H. B. 376. An act amending chapter 113, article VIa., section 4426a, subsection 8, Kentucky Statutes, Carroll's edition, 1915, by adding the following words at the end of said subsection: "If any person who has enrolled in a high school

reaches the age of 20 years and in good faith desires to continue said work each consecutive year, it shall be and is hereby made the duty of the county board to permit said person to continue said high school work, under the same terms and conditions as before reaching the age limit for attending school until said high school work has been completed."

To the Committee on Education.

By Mr. Lee:

H. B. 377. An act to amend and re-enact an act entitled "An act to assign the cities and towns of this Commonwealth to the classes to which they belong."

To the Committee on the Classification of Cities and Towns.

By Mr. W. H. Brown:

H. B. 378. An act to repeal an act entitled "An act to provide for the erection of school buildings in Common School District No. 1, in the town of Hawesville," approved March 28, 1873, and all amendments thereto.

To the Committee on Education.

By Mr. Crowe:

H. B. 379. An act to repeal all acts of the General Assembly of the Commonwealth of Kentucky appropriating money to the Kentucky Children's Home Society; and appropriating the sum of twenty-five thousand dollars annually to be used by the Board of Sinking Fund Commissioners in its discretion for the support of the inmates of the Kentucky Children's Home Society during the years 1916 and 1917.

To the Committee on Appropriations.

By Same:

H. B. 380. An act to render voidable hasty settlements of claims for personal injuries and relating to contracts of employment to bring or prosecute suits for damage for personal injury.

To the Committee on Compensation for Industrial Injuries.

By Mr. Cummins:

H. B. 381. An act to promote agriculture and to provide funds for carrying out its provisions.

To the Committee on Appropriations.

By Mr. Cary:

H. B. 382. An act to amend section 10 of article 17 of chapter 22, of an act of the General Assembly of Kentucky, approved March 15, 1906, entitled "An act relating to revenue and taxation."

To the Committee on Revenue and Taxation.

By Mr. Schneider:

H. B. 383. An act to repeal an act approved March 18th, 1914, and known as chapter 47 of the Session Acts of 1914, and entitled "An act relating to poll or capitation tax and providing for the collection (of but) to put one poll tax from citizens of cities of the third class.

To the Committee on Municipalities.

By Mr. Oliver:

H. B. 384. An act to amend and re-enact section 2 of chapter 13 of the General Assembly of 1914, which is now section 2557 of Kentucky Statutes.

To the Committee on Criminal Law.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. McAtee, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 178. An act to amend an act of the General Assembly of the Commonwealth of Kentucky, approved March 18, 1912, entitled: "An act relating to cities of the fifth class and repealing section 3643, chapter 89, Kentucky Statutes, Carroll's edition."

By Mr. White, of the Committee on Education:

H. B. 91. An act to repeal chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 to 4535h, inclusive, and re-enact the same chapter with the articles and sections rearranged, simplified, and the repealed sections and parts of sections omitted.

With an amendment by way of substitute therefor.

By Mr. Meyers, of the Committee on State Prisons and Houses of Reform:

H. B. 187. An act providing for the working of prisoners who are confined in the prisons, on State highways and bridges constructed by the Department of Public Roads; providing for the setting apart of a fund from the State road

fund, to be used by the Department of Public Roads in building State roads and bridges with convict labor, and to enable said highway department to work said prisoners in the mining, quarrying and manufacturing and preparation of material for building roads and bridges; providing aid and assistants to the Commissioner of Public Roads in the construction of State roads with convict labor and otherwise; providing for the assignment of prisoners to do State road work, and for their supervision and management while so engaged; providing method of payment for the roads so constructed out of the State road fund, and authorizing the Board of Prison Commissioners to provide means of employment for convicts while not engaged in working on public roads and bridges, and in the manufacturing, quarrying, mining and preparation of road material; providing that the Board of Prison Commissioners may lease farms on which to work convicts, and providing compensation for all prisoners that may work under the supervision of the Board of Prison Commissioners.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Same:

H. B. 189. An act to repeal and re-enact chapter 19 of the Acts of 1914 which is an act concerning the trial and punishment of prisoners indicted for felony or misdemeanor.

With an amendment thereto.

By Same:

H. B. 188. An act to amend and re-enact section 2 of

chapter 70 of the Acts of the General Assembly of 1914, which relates to the parole of prisoners confined in the State penal institutions.

With an amendment thereto.

By Same:

H. B. 190. An act to prevent any person interfering with the work of convicts outside of the walls of the penitentiary, and prohibiting any person from giving or furnishing to any such convict opium, cocaine, intoxicating lquors, any narcotic of any kind whatever, firearms, weapons or explosives.

By Mr. Schneider, of the Committee on Fish and Game:

H. B. 165. An act for the protection of fish.

With an amendment thereto.

By Same:

H. B. 242. An act for the protection of game birds and game animals.

With an amendment thereto.

By Same:

H. B. 252. An act amending an act entitled: "An act for the protection of game and fish."

By Mr. Oliver, of the Committee on Codes of Practice:

H. B. 37. An act to amend subsection 5 of section 13

of the Criminal Code, extending the jurisdiction of county judges, and justices in criminal cases.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

By the unanimous consent of the House the Hon. Wallace Brown, ex-member of the House of Representatives, was granted the privilege of the floor of the House.

Ordered that Mr. Schneider be granted an indefinite leave of absence.

A message was received from the Senate announcing that they had passed a bill originating in that body of the following title, viz.:

S. B. 18. An act to provide for the payment of taxes covering the compromise in full of bonds issued for the building or aiding in the building of steam railroads, fixing property upon which it may be levied; providing for a collector to receive said taxes and give a receipt therefor.

To the Committee on Revenue and Taxation.

Mr. Radcliffe moved that the House do now adjourn.

Said motion was disagreed to.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 86. An act to regulate the running at large of cattle and prescribing penalties and regulations against cattle entering the grounds of another from a public highway.

With an amendment thereto.

H. B. 131. An act to amend and re-enact section 68a, Kentucky Statutes, Carroll's edition, 1915, relating to dogs and the promotion of the sheep industry.

H. B. 5. An act relating to the sale of intoxicating liquors and the suppression of places where such liquors are sold or used or kept for sale or use contrary to law.

H. B. 6. An act to provide for the forfeiture of license to sell intoxicating liquors and giving jurisdiction to hear such proceedings to the Judge of the Franklin Circuit Court, at Frankfort, Kentucky.

H. B. 93. An act to regulate the admission of attorneys to practice law.

H. B. 194. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

H. B. 158. An act to amend and re-enact section 4203, Kentucky Statutes, etc.

H. B. 222. An act to amend and re-enact section 4692, Kentucky Statutes, edition 1915, relating to State depositories.

H. B. 170. An act to amend and re-enact section 1243, Kentucky Statutes, relating to petit larceny.

H. B. 169. An act to amend and re-enact sections 3194 and 3195 of the Kentucky Statutes, relating to the sinking fund in cities of the second class.

H. B. 171. An act to amend and re-enact section 1256 of Kentucky Statutes relating to unlawful taking and injuring property.

H. B. 221. An act relating to the election, terms, qualifications, salaries and duties of commissioners to constitute the fiscal court in counties having cities of the first class and providing for clerks and for payment of salaries and expenses; also providing penalties for failure to perform duties.

H. B. 101. An act to amend charters of cities of the first class and to authorize cities of the first class to support by the levy of a tax or otherwise a municipal university.

With an amendment thereto.

H. B. 213. An act regulating the width of tires, and the limit of load that may be hauled over any turnpike or gravel road.

With an amendment thereto.

H. B. 164. An act to amend an act entitled "An act to create and establish a system of public State roads and to provide for the construction and maintenance of same," being chapter 87 of the Acts of 1914; approved March 24th, 1914.

With an amendment thereto.

H. B. 261. An act to provide for the construction and reconstruction and maintenance of through main routes of travel.

H. B. 45. An act creating the office of Supervisor of Ditches, Public Drains (Non-navigable) and prescribing the

duties of same in counties containing more than 250,000 population.

H. B. 116. An act to authorize any city in this State owning its own water or light plant and furnishing water and light to such city to furnish water or light to any other city in this State, and to authorize any city in this State to contract for water and light from any city owning its water or light plant and furnishing water and light.

H. B. 228. An act to amend an act approved March the 21st, 1906, entitled: "An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal Executive Council which shall determine the requirements for admission and graduation and the courses of study for said schools; to create a commission, which shall determine the location of said schools, and to appropriate funds for their maintenance," approved March 24, 1908.

The provisions of the Constitution as to the second reading of said bills at length being dispensed with they were read the second time by their titles, and ordered to be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 191. An act to amend section 3 of an act entitled "An act relating to consolidated corporations organized under general laws for the purpose of constructing, maintaining, and operating bridges across rivers forming boundary lines of this Commonwealth and declaring an emergency.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3 of an act entitled "An act relating to consolidated corporations organized under general laws for the purposes of constructing, maintaining and operating bridges across rivers forming boundary lines of this Commonwealth and declaring an emergency, said act became a law February 15, 1893, without the approval of the Governor, and said act being chapter 21 of the Acts of the General Assembly of 1893, and said section being section 845, Kentucky Statutes, Carroll's edition, be and the same is hereby amended so that said section as amended shall read as follows, to-wit:

Section 3. Such corporation may take reasonable tolls for crossing such bridge, but it shall be unlawful to demand, charge, exact or receive for passage over such bridge any toll, fare, compensation, reward, or thing of value whatever greater than, or in excess of, the following rates, to-wit: For persons passing over such bridge on foot, two cents for a single crossing, twenty-five crossings for twenty-five cents, ten crossings for ten cents, five crossings for five cents; for vehicles drawn by one horse, ten cents for a single crossing, or eleven crossings for one dollar; for vehicles drawn by two horses, fifteen cents for a single crossing, or seven crossings for one dollar; for vehicles drawn by three horses, twenty cents for a single crossing, or five crossings for one dollar; for vehicles drawn by more than three horses, five cents for every horse more than three; for horse with rider, five cents; for timber wheels drawn by two horses, thirty cents; for timber wheels drawn by three or four horses, fifty cents; for timber wheels drawn by five or six horses, seventy-five cents; for cattle, horses, or mules, per head, five cents; for hogs, per head, three cents; for sheep, per head, two cents; for

vehicles in tow, the same toll charged for vehicles drawn by one horse; for each automobile having seats for less than six passengers, five cents for a single crossing; for each automobile having seats for more than five passengers, ten cents for a single crossing; for each motor driven vehicle or truck, the carrying capacity of which is not more than two tons, ten cents for a single crossing; for each motor driven vehicle or truck the carrying capacity of which is more than two tons and not more than four tons, twenty cents for a single crossing; for each motor driven vehicle or truck the carrying capacity of which is more than four tons and less than six tons, twenty-five cents for a single crossing; for each motor driven vehicle or truck the carrying capacity of which is six tons and over, thirty-five cents for a single crossing.

Mr. McGlone offered the following amendment to said bill, viz.:

Amend section 3 by striking out the words "ten" and "eleven" in line 17 and substituting therefor the words "five" and "twenty," respectively, by striking out the word "fifteen" in line 18 and substituting therefor the word "ten," by striking out the word "seven" on line 19 and substituting therefor the word "ten;" by striking out the words "twenty" and "five" on line 20 and substituting the words "fifteen" and "seven," respectively.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Allen	W. C. G. Hobbs	Geo. L. Pickett
Peter Ampler	A. B. Holland	A. B. Pieratt
H. F. S. Bailey	David J. Howard	W. A. Price
Geo. B. Barrett	J. M. Howell	J. D. Pumphrey
G. G. Brashear	Chas. L. Hunter	Harry P. Purnell
Frank J. Brown	R.B.Hutchcraft,Jr.	Richard Radcliffe
W. H. Brown	R. B. Jackson	D. S. Richardson
E. Bullock	J. M. Johnson	John T. Roach
Henry A. Cannon	T. R. Jones	Lewis Ryans
Glover H. Cary	W. H. Jones	L. M. Smith
A. S. Cooper	Wm. J. Kuh	E. D. Smith
S. B. Coleman	W. T. Lasley	Claude B. Smith
W. P. Cropper	M. E. Lee	John W. Snider
R. T. Crowe	Dr. J. E. Lilly	Adam Spahn
W. E. Dowling	Jacob Metzger	Ed. D. Stone
William Duffy	Harry J. Meyers	Bannie Tabor
Odie Duncan	S. Montgomery	R. C. Tartar
J. R. Durham	G. B. Moores	J. H. Thompson
J. M. Elliston	John T. Murphy	Robt. R. Treadway
T. T. Gardner	B. F. McAtee	D. B. Tyra
W. G. Gooch	W. J. McMurray	John S. Webb
Frank C. Greene	C. B. Nichols	M. O. Wilson
C. H. Grimes	S. Mazyck O'Brien	Louis E. Yewell
L. B. Hamilton	A. J. Oliver	E. G. Young
W. B. Harvey	William A. Perry	—74

Those who voted in the negative were—

Chas. D. Bratcher	E. B. McGlone	J. D. Wills
L. L. Embrey		—4

Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 140. An act to make it unlawful for any com-

mon carrier of passengers in this State to issue or give and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

Mr. Hutchcraft moved that said House Bill 140 be recommitted to the Committee on Railroads.

Said motion was agreed to.

Mr. Hutchcraft moved that Senate Bill No. 17 be made a special order of the day on Thursday, February 3rd, at 11 o'clock A. M.

Said motion was agreed to.

Mr. Spahn moved that this House do now adjourn.

On said motion to adjourn the yeas and nays being called for by Messrs. Spurrier and Pieratt, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	William Duffy	Harry J. Meyers
H. F. S. Bailey	J. R. Durham	Claude D. Minor
Geo. B. Barrett	J. M. Elliston	S. Montgomery
Chas. D. Bratcher	C. H. Grimes	John T. Murphy
G. G. Brashear	W. B. Harvey	B. F. McAtee
Frank J. Brown	R.B.Hutchcraft,Jr.	E. B. McGlone
W. H. Brown	R. B. Jackson	S. Mazyck O'Brien
Henry A. Cannon	T. R. Jones	A. J. Oliver
S. B. Coleman	Wm. J. Kuh	Geo. L. Pickett
W. P. Cropper	W. T. Lasley	W. A. Price
R. T. Crowe	Dr. J. E. Lilly	J. D. Pumphrey
W. E. Dowling	Jacob Metzger	D. S. Richardson

Lewis Ryans	Adam Spahn	Frank M. White
E. D. Smith	Bannie Tabor	Louis E. Yewell
Claude B. Smith	J. H. Thompson	E. G. Young
John W. Snider	John S. Webb	—47

Those who voted in the negative were—

W. C. Allen	J. M. Howell	Harry P. Purnell
E. Bullock	J. M. Johnson	John T. Roach
Jas. R. Dorman	W. H. Jones	L. M. Smith
Odie Duncan	M. E. Lee	Thomas Spurrier
L. L. Embrey	W. R. Lyon	Ed. D. Stone
T. T. Gardner	G. B. Moores	Robt. R. Treadway
Frank C. Greene	W. J. McMurray	J. W. Wall
L. B. Hamilton	L. T. Neat	J. D. Wills
W. C. G. Hobbs	C. B. Nichols	M. O. Wilson
A. B. Holland	William A. Perry	
David J. Howard	A. B. Pieratt	—31

And so said motion to adjourn was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 2, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer, of the Roman Catholic Church, of Frankfort, Ky.

The reading of the Journal of yesterday was dispensed with.

Upon a call of the counties and Representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Cropper:

H. B. 385. An act to provide for lights on vehicles used on public ways and providing penalties for violation of same.

To the Committee on Public Utilities.

By Mr. Cruse:

H. B. 386. An act to amend section 3462 of subdivision IX. of article IV. of chapter 89 of Kentucky Statutes, Carroll's edition, 1915, being a part of the act of June 14, 1893, relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office, meetings and quorum of the boards of education of said cities of the third class.

To the Committee on Education.

By Mr. Hobbs by request:

H. B. 387. An act to repeal and re-enact section 885, Kentucky Statutes, Carroll's editions of 1903, 1909 and 1915, relating to costs against the Commonwealth.

To the Committee on Judiciary.

By Mr. Spahn by request:

H. B. 388. An act to amend section 1085 of the Kentucky Statutes, Carroll's edition of 1909, providing for the holding of court by justices of the peace.

To the Committee on Municipalities.

By Mr. W. M. Webb:

H. B. 389. An act to repeal and re-enact subsection 3, of section 4399, Kentucky Statutes (Carroll's edition, 1915), chapter 113, article 5, which subsection is entitled "Election of County Superintendents."

To the Committee on Education.

By Mr. Price:

H. B. 390. An act to amend an act entitled "An act creating fiscal courts in the several counties in this Commonwealth," approved October 17, 1892, and acts amendatory thereto, being chapter 52, Kentucky Statutes.

To the Committee on County and City Courts.

By Mr. Treadway:

H. B. 391. An act to promote the safety of travelers, shippers and employees upon railroads, by compelling the proper manning of trains by common carriers.

To the Committee on Railroads.

By Mr. E. D. Smith:

H. B. 392. An act making it a felony for his majesty the ground hog to regulate the weather and changing ground hog day from February second to July fourth, and fixing penalty for violation thereof.

To the Committee on Ways and Means.

By Mr. Schneider:

H. B. 393. An act to amend section 538 of the Kentucky Statutes.

To the Committee on Kentucky Statutes.

By Mr. Jones:

H. B. 394. An act to empower the State Board of Education of Kentucky to issue certificates to teach to graduates of Normal Schools of Kentucky other than institution supported by the State of Kentucky, and repealing all laws in conflict therewith.

To the Committee on Education.

By Mr. Kauffman:

H. B. 395. An act to amend section 68a, Kentucky Statutes, Carroll's edition, 1915. An act pertaining to the duties and powers of the State Live Stock Sanitary Board of Kentucky, and providing funds for the reimbursement of owners of live stock destroyed by said State Live Stock Sanitary Board of Kentucky.

To the Committee on Kentucky Statutes.

By Same:

H. B. 396. An act transferring the surplus from the dog tax into an emergency fund for the purpose of paying for loss of animals destroyed in order to prevent the spread of communicable diseases among live stock and to be under the control of the State Live Stock Sanitary Board of Kentucky.

To the Committee on Kentucky Statutes.

By unanimous consent of the House Mr. Tabor was granted an indefinite leave of absence.

By the unanimous consent of the House Ex-Representa-

tives W. N. Flippin and George S. Wilson were granted the privileges of the floor of the House.

At 10:30 o'clock, the hour set for the special order of the day, the House took up for consideration the reports, viz.: the majority report and the minority report of the contest board in the case of S. C. Dobbs, Contestant, versus, W. C. Allen, Contestee, from the counties of Clinton and Wayne, the same being made the special order of the day for that hour.

(For said two reports see House Journal of January 31, 1916.)

Mr. Oliver moved that the session of today be indefinitely extended.

Said motion was agreed to.

Mr. Spurrier, the proposer of the said minority report, moved its adoption.

The yeas and nays being taken on the adoption of said minority report in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

C. H. Bays	L. L. Embrey	W. R. Lyon
Chas. D. Bratcher	Wm. Gearheart	Jacob Metzger
G. G. Brashear	Frank C. Greene	G. B. Moores
W. H. Brown	C. H. Grimes	E. B. McGlone
E. Bullock	J. S. Hall	L. T. Neat
Henry A. Cannon	L. B. Hamilton	A. J. Oliver
A. S. Cooper	W. B. Harvey	Harry P. Purnell
James S. Cruse	R. B. Jackson	Lewis Ryans
Thomas A. Dover	W. H. Jones	Thomas Spurrier

Ed. D. Stone	Robt. R. Treadway	Frank M. White
Bannie Tabor	F. C. Trivette	M. O. Wilson
R. C. Tartar	J. W. Wall	E. S. Wood
J. H. Thompson	W. M. Webb	—38

Those who voted in the negative were—

Peter Ampler	David J. Howard	S. Mazyck O'Brien
H. F. S. Bailey	J. M. Howell	William A. Perry
Geo. B. Barrett	Chas. L. Hunter	A. B. Pieratt
Frank J. Brown	R.B.Hutchcraft,Jr.	W. A. Price
Glover H. Cary	J. M. Johnson	J. D. Pumphrey
S. B. Coleman	T. R. Jones	Richard Radcliffe
W. P. Cropper	H. Clay Kauffman	D. S. Richardson
R. T. Crowe	Wm. J. Kuh	John T. Roach
H. C. Cummins	W. T. Lasley	Joe Schneider
Jas. R. Dorman	M. E. Lee	E. D. Smith
W. E. Dowling	Dr. J. E. Lilly	Claude B. Smith
William Duffy	Dr. C. W. Mathers	John W. Snider
Odie Duncan	Harry J. Meyers	Adam Spahn
J. R. Durham	Claude D. Minor	D. B. Tyra
J. M. Elliston	S. Montgomery	J. Wood Vance
T. T. Gardner	John T. Murphy	John S. Webb
W. G. Gooch	B. F. McAtee	J. D. Wills
W. C. G. Hobbs	W. J. McMurray	Louis E. Yewell
A. B. Holland	C. B. Nichols	E. G. Young
		—57

And so said minority report was rejected.

Mr. Cary, chairman of the contest board, moved the adoption of the said majority report.

The yeas and nays being taken on the adoption of said majority report in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. M. Howell	William A. Perry
H. F. S. Bailey	Chas. L. Hunter	Geo. L. Pickett
Geo. B. Barrett	R.B.Hutchcraft,Jr.	A. B. Pieratt
Frank J. Brown	J. M. Johnson	W. A. Price
Glover H. Cary	T. R. Jones	J. D. Pumphrey
S. B. Coleman	H. Clay Kauffman	Richard Radcliffe
W. P. Cropper	Wm. J. Kuh	D. S. Richardson
R. T. Crowe	W. T. Lasley	John T. Roach
Jas. R. Dorman	M. E. Lee	Joe Schneider
W. E. Dowling	Dr. J. E. Lilly	E. D. Smith
William Duffy	Dr. C. W. Mathers	Claude B. Smith
Odie Duncan	Harry J. Meyers	John W. Snider
J. R. Durham	Claude D. Minor	Adam Spahn
J. M. Elliston	S. Montgomery	D. B. Tyra
T. T. Gardner	John T. Murphy	J. Wood Vance
W. G. Gooch	B. F. McAtee	John S. Webb
W. C. G. Hobbs	W. J. McMurray	J. D. Wills
A. B. Holland	C. B. Nichols	Louis E. Yewell
David J. Howard	S. Mazyck O'Brien	E. G. Young

—57

Those who voted in the negative were—

C. H. Bays	C. H. Grimes	Lewis Ryans
Chas. D. Bratcher	J. S. Hall	Thomas Spurrier
G. G. Brashear	L. B. Hamilton	Ed. D. Stone
W. H. Brown	W. B. Harvey	Bannie Tabor
E. Bullock	R. B. Jackson	R. C. Tartar
Henry A. Cannon	W. H. Jones	J. H. Thompson
R. A. Cook	W. R. Lyon	Robt. R. Treadway
A. S. Cooper	Jacob Metzger	F. C. Trivette
James S. Cruse	G. B. Moores	J. W. Wall
Thomas A. Dover	E. B. McGlone	W. M. Webb
L. L. Embrey	L. T. Neat	Frank M. White
Wm. Gearheart	A. J. Oliver	M. O. Wilson
Frank C. Greene	Harry P. Purnell	E. S. Wood

—39

And so said majority report was adopted.

Mr. Meyers moved that the vote by which said majority report was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers moved that this House do now adjourn.

The yeas and nays being called for by Messrs. Greene and Stone on said motion to adjourn were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. G. Gooch	B. F. McAtee
Geo. B. Barrett	J. S. Hall	C. B. Nichols
Frank J. Brown	W. C. G. Hobbs	S. Mazyck O'Brien
W. H. Brown	A. B. Holland	William A. Perry
Glover H. Cary	J. M. Howell	Geo. L. Pickett
A. S. Cooper	Chas. L. Hunter	W. A. Price
S. B. Coleman	R.B.Hutchcraft,Jr.	J. D. Pumphrey
W. P. Cropper	H. Clay Kauffman	D. S. Richardson
R. T. Crowe	Wm. J. Kuh	Joe Schneider
James S. Cruse	W. T. Lasley	E. D. Smith
H. C. Cummins	M. E. Lee	Claude B. Smith
Jas. R. Dorman	Dr. J. E. Lilly	John W. Snider
W. E. Dowling	Dr. C. W. Mathers	Adam Spahn
William Duffy	Jacob Metzger	D. B. Tyra
Odie Duncan	Harry J. Meyers	J. Wood Vance
J. R. Durham	Claude D. Minor	John S. Webb
J. M. Elliston	S. Montgomery	Louis E. Yewell
T. T. Gardner	John T. Murphy	E. G. Young

—54

Those who voted in the negative were—

H. F. S. Bailey	R. B. Jackson	Lewis Ryans
Chas. D. Bratcher	J. M. Johnson	Thomas Spurrier
G. G. Brashear	T. R. Jones	Ed. D. Stone
E. Bullock	W. H. Jones	Bannie Tabor
Henry A. Cannon	W. R. Lyon	R. C. Tartar
R. A. Cook	G. B. Moores	J. H. Thompson
Thomas A. Dover	E. B. McGlone	Robt. R. Treadway
L. L. Embrey	W. J. McMurray	F. C. Trivette
Wm. Gearheart	L. T. Neat	J. W. Wall
Frank C. Greene	A. J. Oliver	W. M. Webb
C. H. Grimes	A. B. Pieratt	Frank M. White
L. B. Hamilton	Harry P. Purnell	J. D. Wills
W. B. Harvey	Richard Radcliffe	M. O. Wilson
David J. Howard	John T. Roach	E. S. Wood

—42

So said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 3, 1916.

The House was opened with prayer by Rev. Father O'Dwyer of the Roman Catholic Church, of Frankfort, Kentucky.

The reading of the Journal of yesterday was dispensed with.

Mr. Price suggested that Mr. S. C. Dobbs, who was on yesterday declared to have been elected Representative from the counties of Clinton and Wayne, and entitled to a seat as such on the floor, was present on the floor of the House, and asked that the oath of office be administered to him.

Thereupon the said S. C. Dobbs appeared at the bar of the House and the oath of office was administered to him by the Speaker of the House.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Gardner:

H. B. 397. An act to amend section 4 of article 8 of chapter 76 of the Kentucky Statutes.

To the Committee on Kentucky Statutes.

By Same (By Request):

H. B. 398. An act to abolish and recreate the First and Second Senatorial Districts.

To the Committee on Redistricting, Legislative.

By Mr. Dowling:

H. B. 399. An act to repeal section 1822 of Kentucky Statutes, Carroll's edition 1915, being an act in regard to commercial fertilizers, reducing the fee from 50c to 25c per ton and transferring the enforcement of such a law from the Kentucky Agricultural Experiment Station to the State Board of Agriculture.

To the Committee on Agriculture.

By Same:

H. B. 400. An act to amend chapter 46a of the Kentucky Statutes, Carroll's edition, 1915, being an act relating

to commercial feeding stuffs and to make it the duty of the State Board of Agriculture to enforce this law and to authorize said board to collect the fees and to expend same in the enforcement of this law and in teaching the livestock owners of this State the value of various commercial feeds.

To the Committee on Agriculture.

By Mr. Metzger:

H. B. 401. An act to regulate the licensing of vehicles operating between two or more municipalities within the Commonwealth of Kentucky.

To the Committee on Public Utilities.

By Mr. W. M. Webb:

H. B. 402. An act to provide for temperance day in the public and high schools of the Commonwealth of Kentucky, and the manner in which programmes shall be furnished and placards, posters, mottoes, epigrams, etc., exhibited.

To the Committee on Education.

By Mr. Price:

H. B. 403. An act to empower cemetery associations not oragnized for profit, to establish a maintenance fund and perpetual care fund, and regulate the management thereof.

To the Committee on Public Monuments and Historical Records.

By Same:

H. B. 404. An act to provide for the election of judicial officers by separate ballot.

To the Committee on Suffrage and Elections.

By Mr. Wilson:

H. B. 405. An act to amend and re-enact section 1587, Kentucky Statutes, edition 1915, relating to the punishment for bribery.

To the Committee on Criminal Law.

By Same:

H. B. 406. An act concerning the enrollment of stallions and jacks kept or offered for public service, and for the improvement and advancement of the horse industry in the State of Kentucky; providing for the dissemination of information relative to the horse interests among the people of the State and defining the duties of the stallion enrollment board and penalties for the violation of provisions of this act.

To the Committee on Agriculture.

By Mr. Holland:

H. B. 407. An act to empower the Board of Penitentiary Commissioners to convey land to the United States Government for the purposes of building locks and dams, and ceding such lands, when so conveyed.

To the Committee on Kentucky Statutes.

By Mr. Crowe:

H. B. 408. An act to amend section 1, subsection 1, article 13, chapter 22 of the Acts of 1906, being an act entitled "An act relating to revenue and taxation."

To the Committee on Revenue and Taxation.

By the unanimous consent of the House the Hon. B. J. Bethurum was granted the privilege of the floor of the House today.

Mr. J. W. Snider stated that House Bill 372, introduced by him on February 1st, 1916, was a duplicate of House Bill 370, introduced by him on February 1st, and asked the unanimous consent of the House to withdraw from the Journal and the record of the House, House Bill 372 and insert in lieu thereof, the same to take the number of House Bill 372, a bill of the following title, viz.:

By Mr. J. W. Snider:

H. B. 372. An act amending section 367a of article 7 of chapter 2 of title 9 of the Civil Code of Practice.

To the Committee on Circuit Courts.

Said request was granted by the House and ordered that the aforesaid bill take the place of House Bill 372 introduced on February 1st, 1916.

Ordered that the bill introduced on February 1, 1916, and numbered 372, be now withdrawn from the records of this House.

A message was received from the Senate announcing that they had passed bills which originated in that body, of the following titles, viz.:

S. B. 59. An act to prohibit public officers of this Commonwealth from seeking to have their salaries or the salaries of others increased during the term for which they are appointed or elected.

To the Committee on Juvenile Courts and Children's Home.

S. B. 78. An act to declare the desertion of indigent children under the age of sixteen years a felony.

To the Committee on Criminal Law.

S. B. 103. An act to amend an act entitled: "An act concerning the State Inspector and Examiner," approved January 13, 1893.

To the Committee on Judiciary.

Also that they had adopted the following joint resolutions, of the following title, viz.:

S. Res. 13. Joint resolution petitioning Congress to enact legislation for compensation of loss by floods.

S. Res. 9. Joint resolution paying B. M. Hershberg for services.

Ordered that said resolutions lie on the clerk's desk.

Mr. Hutchcraft moved that the rules be suspended and that House Bill 149 be taken from the orders of the day and made the special order of the day on to-morrow at 11 o'clock a. m.

Said motion was agreed to.

Mr. Hutchcraft moved that the rules be suspended and that House Bill 194 be taken from the orders of the day and made the special order of the day on Monday, February 7, 1916, at 1:30 o'clock p. m.

Said motion was agreed to.

Mr. Hutchcraft moved that the rules be suspended and that House Bill 147 be taken from the orders of the day and made the special order of the day for 11 o'clock on Tuesday, February 8, 1916.

Said motion was agreed to.

Mr. Dowling moved that beginning today and continuing throughout this session members desiring to explain their vote be limited to two minutes' time for such purpose.

Said motion was agreed to.

Mr. Dowling moved that the vote by which said motion to limit members to two minutes' time was agreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour for the special order of the day having arrived, Mr. Hutchcraft moved that the special order be postponed for five minutes.

Said motion was agreed to.

Mr. Hutchcraft moved that the rules be suspended and that House Bill 5 be taken from the orders of the day and made the special order of the day on Wednesday, February 9, 1916, at 11 o'clock a. m.

Said motion was agreed to.

Mr. Hutchcraft moved that the rules be suspended and that House Bill 6 be taken from the orders of the day and made the special order of the day immediately after the conclusion of House Bill No. 5.

Said motion was agreed to.

The House then took up for consideration the special order of the day, viz.:

S. B. 17. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any common carrier of passengers in this State, or any officer or agent of such common carrier, to issue or give to any person, or persons, any free pass, or free transportation, or sell tickets at reduced rates, not common to the public, for the transportation of any passenger, or passengers, within this State, except to the persons designated in section two of this act; and it shall be unlawful for any person, or persons, other than those designated in section two of this act, to accept and use any such free pass, free transportation or ticket, given or issued by such common carrier.

§ 2. The prohibition contained in section one of this act shall not apply to, and nothing therein shall be deemed or construed to prohibit the issual or giving by such common carrier of such free pass, or free transportation, to, or the acceptance and use by, the following persons: Officers, bona fide employees, agents, attorneys, physicians and surgeons of such common carrier, and the dependent members of their immediate family; ministers of religion, persons engaged exclusively in charitable and eleemosynary work, inmates of homes for the rescue and reform of the unfortunate or vicious, including those about to enter, and those returning home after discharge, and boards of managers, including officers and superintendents of such homes, not under the control of the State; indigent, destitute and homeless persons, and such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; necessary caretakers of live stock, poultry, milk or fruit, including return transportation to the forwarding point; traveling secretaries of railroad Young Men's Christian Associations, and officers, or regular accredited representatives of labor organizations, composed wholly of employees of such common carrier; employees of sleeping cars, express cars, railway mail service employees, post office inspectors, custom inspectors and immigration inspectors; newsboys in trains and baggage agents; witnesses attending any legal investigation or proceeding in which such common carrier is interested; persons injured in wrecks, and physicians and nurses attending such persons, and employees crippled or disabled in the service of such common carrier; policemen and firemen of any city wearing the insignia of their office within the limits of such city; school children going to and returning from public or parochial schools; and provided, further, that nothing contained in this act shall be construed or deemed to prohibit the interchange of free passes, or free transportation, for officers, agents, attorneys

and employees of such common carriers, and the dependent members of their immediate families.

§ 3. If any officer, agent, attorney or employee of such common carrier be also a State, district, county, city or town official, or member of the General Assembly, or judge of any court, then the exemption or exception contained in section two of this act shall not apply, but the provisions of section one and the penalties prescribed by this act shall apply to the giving and acceptance and use of such free pass, or free transportation.

§ 4. "Free Pass" or "Free Transportation" as used in this act, shall include any ticket, pass, contract, permit or transportation issued, furnished or given to any person by any common carrier of passengers, or passage for other consideration than money paid in the usual way at the same rate, fare, or charge open to all who desire to purchase, and shall include any ticket sold at reduced rate, not open to the public. "Families" as used in this act, include the families of those persons killed, and the widows during widowhood, and minor children during minority, of persons who died while in the service of such carrier. "Employee" as used in this act, shall include furloughed, pensioned, superannuated employees, and persons who have become disabled or infirm in the service of such carrier.

§ 5. Any common carrier of passengers, its officers, agents or representatives violating any of the provisions of this act, shall for each offense, be fined not less than five hundred dollars, nor more than twenty-five hundred dollars, or confined to the county jail not less than thirty days, or more than ninety days, or may be both so fined and imprisoned in the discretion of the jury; and, any person or persons, other than those excepted in this act, who shall accept and use any such free pass, or free transportation for

carriage or passage within this State, shall be subject to a like penalty; and, if any person guilty of violating any of the provisions of this act, be, at the time of the commission of the offense, a State, district, county, city or town officer, or member of the General Assembly, or judge of any court, then, in addition to the penalties hereinbefore imposed, he shall forfeit his office, and shall never thereafter be eligible to hold the office of which he was the incumbent at the time of the commission of the offense.

§ 6. No person within the purview of this act shall be privileged from testifying in relation to anything herein prohibited, but any person having so testified shall not be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony.

§ 7. The circuit court of any county through, or into which, any person shall be transported in violation of the provisions of this act, shall have jurisdiction of the offense.

§ 8. Where, under the Constitution, the vacation of any office may be had by a proceeding in the courts of the Commonwealth, the proceeding to vacate the office of persons found guilty of a violation of this act, shall be in the circuit court of the county of his residence. The proceeding to vacate all other offices shall be in those tribunals and in the manner now provided by law.

§ 9. Upon the information filed in the office of the Attorney General of this State by any Commonwealth Attorney or County Attorney, stating that any person found guilty of a violation of this act, was at the time of the commission of the offense, a State, district, county, city, town official, judge or member of the General Assembly, or upon the affidavit of any person filed in the office of the Attorney General, accompanied by an attested copy of the judgment of the court

in which the conviction was had, stating that the person was convicted, was at the time of the commission of the offense a State, district, county, city, town official, or judge, or member of the General Assembly, it shall be the duty of the Attorney General to institute, or cause to be instituted, in the tribunal having jurisdiction to vacate the office held by the guilty person, proceedings to vacate his office, and it shall be the duty of all Commonwealth Attorneys and County Attorneys, within their respective districts and counties, upon the request of the Attorney General, to institute and prosecute, or aid in the prosecution of such proceedings to vacate such offices, where they may be vacated by the courts of this Commonwealth, and where, in such case, the courts of this Commonwealth have not jurisdiction to vacate the office of a person found guilty of a violation of the provisions of this act, the Attorney General shall file information of the conviction of such person in that tribunal having jurisdiction to vacate such office. In any action or proceeding in any court of this Commonwealth to vacate the office of a public official guilty of a violation of the provisions of this act, his former conviction of the offense in any court having jurisdiction, shall be conclusive evidence of his guilt.

§ 10. Every common carrier of passengers in this State shall keep an accurate account of each and every free pass, free transportation, or ticket sold at reduced rates not common to the public, which it has given or issued to any person, within one year next before the twentieth day of November of each year, which account shall state when and to whom each free pass, free transportation or ticket sold at reduced rates not common to the public, was given or issued, the nature and character of the free pass, whether a general pass, and for what length of time given, or whether a limited pass, and the points from and to which it was issued. On or before December first of each year, every such common carrier shall file in the office of the Attorney General a true and

correct statement of all such free passes, free transportations or tickets sold at reduced rate not common to the public, given or issued within the year next preceding November twentieth, together with the description thereof, and the information concerning such free passes or free transportation, hereinbefore required to be kept by it. Said statement shall be subscribed and sworn to by the secretary of such carrier, and when filed in the office of the Attorney General, shall constitute a public record. Any common carrier of passengers who shall fail to file such statement on or before the first day of December, as required by this section, shall be fined one thousand dollars, upon indictment and conviction in the Franklin Circuit Court.

The Attorney General shall at all times have access to the original account of such passes in the office of such carriers, which is required by this act to be kept.

Mr. Oliver proposed the following amendment to said bill by way of substitute therefor, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. It shall be unlawful for any railroad, steamboat line, or other common carrier to give a pass or passes, or sell at reduced rate not common to the public tickets for transportation, to any State, district, county, city or town officer or member of the General Assembly, or judge of any court, and any common carrier violating this section shall be fined in any sum not less than five hundred dollars nor more than five thousand dollars, and any of the above named officers who shall accept said pass or passes as a gift, or shall buy a ticket or tickets for transportation at a reduced rate not common to the public shall be deemed guilty of misfeasance in office and upon conviction shall forfeit his office.

Section 2. The word pass as used herein shall be construed to mean mileage books, tickets, passes, orders and all kinds of transportation entitling the holder of same to ride upon the trains, cars or boats of the common carriers giving away said transportation or selling same at a reduced rate not common to the public. And every common carrier of passengers in this State shall file a report with the Secretary of State on or before December 1st in each year, first report to date from January 1st, 1917, showing the number of passes issued and to whom issued.

Section 3. All prosecutions for violations of this act shall be by indictment or information in the circuit court of the county in which person resides.

The yeas and nays being called for by Messrs. Oliver and White, on the adoption of said amendment by way of substitute, were as follows, viz.:

Those who voted in the affirmative were—

C. H. Bays	C. H. Grimes	Lewis Ryans
Chas. D. Bratcher	J. S. Hall	Thomas Spurrier
G. G. Brashear	R. B. Jackson	Ed. D. Stone
W. H. Brown	W. H. Jones	R. C. Tartar
E. Bullock	W. R. Lyon	J. H. Thompson
Henry A. Cannon	Jacob Metzger	Robt. R. Treadway
R. A. Cook	G. B. Moores	J. W. Wall
A. S. Cooper	E. B. McGlone	W. M. Webb
James S. Cruse	W. J. McMurray	Frank M. White
Thomas A. Dover	L. T. Neat	M. O. Wilson
L. L. Embrey	A. J. Oliver	E. S. Wood
Wm. Gearheart	Harry P. Purnell	—35

Those who voted in the negative were—

Peter Ampler	Frank J. Brown	S. B. Coleman
Geo. B. Barrett	Glover H. Cary	W. P. Cropper

R. T. Crowe	T. R. Jones	W. A. Price
H. C. Cummins	H. Clay Kauffman	J. D. Pumphrey
S. C. Dobbs	Wm. J. Kuh	Richard Radcliffe
Jas. R. Dorman	W. T. Lasley	D. S. Richardson
W. E. Dowling	M. E. Lee	Joe Schneider
William Duffy	Dr. J. E. Lilly	L. M. Smith
Odie Duncan	Dr. C. W. Mathers	E. D. Smith
J. R. Durham	Harry J. Meyers	Claude B. Smith
J. M. Elliston	Claude D. Minor	John W. Snider
T. T. Gardner	S. Montgomery	Adam Spahn
W. G. Gooch	John T. Murphy	D. B. Tyra
W. C. G. Hobbs	B. F. McAtee	John S. Webb
A. B. Holland	C. B. Nichols	J. D. Wills
David J. Howard	S. Mazyck O'Brien	Louis E. Yewell
J. M. Howell	William A. Perry	E. G. Young
Chas. L. Hunter	Geo. L. Pickett	
R.B.Hutcheraft,Jr.	A. B. Pierati	—55

And so said amendment by way of substitute was disagreed to.

Mr. McMurray offered the following amendment to said bill, viz.:

Strike out subsections 1, 2, 3, 4 and 5, and substituting in lieu thereof subsections 1, 2, and 3 as hereinafter set out, and by changing the numbers of subsections 6, 7, 8, 9, 10, 11 and 12, to numbers 4, 5, 6, 7, 8, 9 and 10; said substituted subsections to read as follows:

Section 1. It shall be unlawful for any common carrier of passengers in this State, or any officer or agent of such common carrier, to issue or give any free pass or passes or shall, at reduced rates not common to the public, sell tickets for transportation to any State, district, city, town or county officer, or any member of the General Assembly, or judge of any court; and any common carrier of passengers in this State, or any officer or agent of such common carrier,

who shall, directly or indirectly, violate any of the provisions hereof, shall, upon conviction, be fined not less than five hundred dollars nor more than twenty-five hundred dollars, or confined in the county jail for not less than thirty days nor more than ninety days, or be both fined and imprisoned in the discretion of the jury.

Section 2. It shall be unlawful for any State, district, city, town or county officer, or any member of the General Assembly, or judge of any court, to accept, or use or procure for another, a free pass or passes for transportation, or to accept, receive or use or procure for another, tickets or transportation at reduced rates not common to the public, and any of said officers so offending, shall, upon conviction, thereof, forfeit his office.

Section 3. "Free pass" or "free transportation" as used in this act, shall include any ticket, pass, contract, permit or transportation, issued, furnished or given, directly or indirectly, by any common carrier of passengers, or passage for any other consideration than money paid in the usual way at the same rate, fare or charge open to all who desire to purchase, and shall include any reduced fare not open to all the public.

The yeas and nays being called for by Messrs. Oliver and Stone, on the adoption of said amendment, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	Henry A. Cannon	L. L. Embrey
C. H. Bays	R. A. Cook	T. T. Gardner
Chas. D. Bratcher	A. S. Cooper	Wm. Gearheart
G. G. Brashear	James S. Cruse	Frank C. Greene
W. H. Brown	H. C. Cummins	C. H. Grimes
E. Bullock	Thomas A. Dover	J. S. Hall

L. B. Hamilton	E. B. McGlone	Robt. R. Treadway
W. B. Harvey	W. J. McMurray	J. W. Wall
David J. Howard	L. T. Neat	John S. Webb
R. B. Jackson	A. J. Oliver	W. M. Webb
J. M. Johnson	Harry P. Purnell	Frank M. White
T. R. Jones	John T. Roach	M. O. Wilson
W. H. Jones	Lewis Ryans	E. S. Wood
W. R. Lyon	Ed. D. Stone	E. G. Young
Jacob Metzger	R. C. Tartar	
G. B. Moores	J. H. Thompson	—46

Those who voted in the negative were—

Peter Ampler	J. M. Howell	Geo. L. Pickett
Geo. B. Barrett	Chas. L. Hunter	A. B. Pieratt
Frank J. Brown	R.B.Hutchcraft,Jr.	W. A. Price
Glover H. Cary	H. Clay Kauffman	J. D. Pamphrey
S. B. Coleman	Wm. J. Kuh	Richard Radcliffe
W. P. Cropper	W. T. Lasley	D. S. Richardson
R. T. Crowe	M. E. Lee	Joe Schneider
S. C. Dobbs	Dr. J. E. Lilly	L. M. Smith
Jas. R. Dorman	Dr. C. W. Mathers	E. D. Smith
W. E. Dowling	Harry J. Meyers	Claude B. Smith
William Duffy	Claude D. Minor	John W. Snider
Odie Duncan	S. Montgomery	Adam Spahn
J. R. Durham	John T. Murphy	D. B. Tyra
J. M. Elliston	B. F. McAtee	J. D. Wills
W. G. Gooch	C. B. Nichols	Louis E. Yewell
W. C. G. Hobbs	S. Mazyck O'Brien	
A. B. Holland	William A. Perry	—49

And so said amendment was disagreed to.

Mr. Hutchcraft offered the following amendment to said bill, viz.:

Amend section seven of Senate Bill 17, by striking out the words "of Franklin county or."

Said amendment was agreed to.

Mr. Hutchcraft offered the following amendment to said bill, viz.:

Amend section ten of S. B. 17, by striking out "December 1st, 1917," in line 10½ of the printed bill and substituting "March 1st, 1918," by striking out "December 1st, 1917," in line 13, and substituting "December 31st, 1917," and by striking out "Decemebr" in line 14 and in line 22 and substituting "March;" striking out "first" in line six and substituting "thirty-first."

Said amendment was agreed to.

Mr. Stone offered the following amendment to said bill by way of substitute therefor, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any State, district, county, city or town officer, or member of the General Assembly, or judge, or commissioner, or school officer, including any legislative, judicial, or executive officer of any political division of the State, who receives appropriations or compensation from the Commonwealth of Kentucky, whether he be elected or appointed, to accept or use on his own behalf, or for and on behalf of any other person, a free pass, free mileage book, free ticket or transportation, or accept reduced rates from any common carrier, or public service corporations, or representative, or agent or person of any common carrier, or public service corporation, that operates within this State, and if any officer mentioned in this section be found guilty of violating this act shall for each offense be fined under indictment not less than two hundred ($200.00)

dollars nor more than one thousand ($1,000.00) dollars and a judgment of conviction shall declare vacant the office of such officer.

§ 2. And it shall further be unlawful for any common carrier, or public service corporations, engaged in the business of carrying passengers for compensation, to give or furnish to, directly or indirectly, issue or give a free pass, free mileage book, free ticket or transportation to any State, district, county, city or town officer, or member of the General Assembly, or judge, or commissioner, or school officer, including any legislative, judicial, or executive officer of any political division of the State, and any common carrier, or public service corporations found guilty of violating this act shall be fined under indictment not less than two hundred ($200.00) dollars nor more than one thousand ($1,000.00) dollars for each offense: Provided, that this act shall not prohibit the issuing or giving a free pass, free mileage book, free ticket or transportation by such common carrier, or public service corporations, to any of its employes, its officers, agents, surgeons, physicians, and its attorneys, and to the inmates of hospitals and charitable and eleemosynary work, to indigent, destitute, and homeless persons, and to such persons when transported to charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of National Homes or State Homes for disabled soldiers, and of Soldiers' and Sailors' Homes, including those about to enter and those returning after discharge; to necessary caretakers of live stock, poultry, milk and fruit; to employes on sleeping cars, express cars, and to linemen; to railway mail service employes, post office inspectors, customs inspectors, and immigration inspectors; to newsboys on trains, baggage agents, witnesses attending any legal investigation in which the common carrier, or public service corporations are interested, persons injured in wrecks and physicians and nurses attending such persons: Provided,

that this provision shall not be construed to prohibit the interchange of passes for the officers, agents and employes of common carriers, or public service corporations; nor to prohibit any common carrier from carrying passengers free with the object to provide relief in cases of general epidemic, pestilence, or other calamitous visitation.

§ 3. The circuit court of any county in which a free pass, free mileage book, free ticket or transportation is accepted or issued, shall have jurisdiction of the offense.

§ 4. This act shall take effect from and after its passage.

Said amendment was disagreed to.

Mr. Tartar offered the following amendment to said bill, viz.:

Amend section 2 by adding the words: "County and State Health Officers."

Said amendment was disagreed to.

Mr. F. J. Brown offered the following amendment to said bill, viz.:

Amend Senate Bill No. 17 as follows: Amend Section 2 in line 23 by inserting after the word "wrecks" the words "or accidents."

Said amendment was agreed to.

Mr. McGlone offered the following amendment to said bill, viz.:

Amend section 2 by striking out the words "public or parochial" in line 28.

Said amendment was disagreed to.

Mr. McGlone offered the following amendment to said bill, viz.:

Amend section 4 by striking out the words "provided, however, that nothing herein contained shall prevent the bona fide exchange of transportation for advertising matter actually contracted."

The yeas and nays being called for by Messrs. McGlone and Harvey on the adoption of said amendment, were as follows, viz.:

Those who voted in the affirmative were—

C. H. Bays	C. H. Grimes	Harry P. Purnell
Chas. D. Bratcher	J. S. Hall	Lewis Ryans
G. G. Brashear	W. B. Harvey	Ed. D. Stone
W. H. Brown	R. B. Jackson	R. C. Tartar
E. Bullock	J. M. Johnson	J. H. Thompson
Henry A. Cannon	W. H. Jones	Robt. R. Treadway
R. A. Cook	W. R. Lyon	J. W. Wall
A. S. Cooper	Jacob Metzger	W. M. Webb
James S. Cruse	G. B. Moores	Frank M. White
Thomas A. Dover	E. B. McGlone	E. S. Wood
L. L. Embrey	L. T. Neat	
Wm. Gearheart	A. J. Oliver	—34

Those who voted in the negative were—

Peter Ampler	Glover H. Cary	H. C. Cummins
H. F. S. Bailey	S. B. Coleman	S. C. Dobbs
Geo. B. Barrett	W. P. Cropper	Jas. R. Dorman
Frank J. Brown	R. T. Crowe	W. E. Dowling

William Duffy	M. E. Lee	Richard Radcliffe
Odie Duncan	Dr. J. E. Lilly	D. S. Richardson
J. R. Durham	Dr. C. W. Mathers	John T. Roach
J. M. Elliston	Harry J. Meyers	Joe Schneider
W. G. Gooch	Claude D. Minor	L. M. Smith
L. B. Hamilton	S. Montgomery	E. D. Smith
W. C. G. Hobbs	John T. Murphy	Claude B. Smith
A. B. Holland	B. F. McAtee	John W. Snider
David J. Howard	W. J. McMurray	Adam Spahn
J. M. Howell	C. B. Nichols	D. B. Tyra
Chas. L. Hunter	S. Mazyck O'Brien	John S. Webb
R.B.Hutcheraft,Jr.	William A. Perry	J. D. Wills
T. R. Jones	Geo. L. Pickett	Louis E. Yewell
H. Clay Kauffman	A. B. Pieratt	E. G. Young
Wm. J. Kuh	W. A. Price	
W. T. Lasley	J. D. Pumphrey	—58

And so said amendment was disagreed to.

Mr. Lyon offered the following amendment to said bill, viz.:

Amend Senate Bill 17 as follows: In section 4, beginning in line 7, strike out the words "Provided, however, that nothing herein contained shall prevent the bona fide exchange of transportation for advertising matter actually contracted," and insert the following: "Provided nothing herein contained shall prevent any railroad or transportation company from furnishing transportation for advertising matter actually contracted and which transportation shall not represent a greater value in any year than the amount of advertising so done, calculated at ordinary advertising rates."

Said amendment was disagreed to.

Mr. Radcliffe moved the previous question.

Said motion was disagreed to.

Mr. Hutchcraft moved that the standing orders of the day be postponed until the matter under consideration was disposed of.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and as amended was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. R. Durham	H. Clay Kauffman
H. F. S. Bailey	J. M. Elliston	Wm. J. Kuh
Geo. B. Barrett	T. T. Gardner	W. T. Lasley
C. H. Bays	W. G. Gooch	M. E. Lee
Frank J. Brown	Frank C. Greene	Dr. J. E. Lilly
W. H. Brown	J. S. Hall	W. R. Lyon
Glover H. Cary	L. B. Hamilton	Dr. C. W. Mathers
A. S. Cooper	W. B. Harvey	Jacob Metzger
S. B. Coleman	W. C. G. Hobbs	Harry J. Meyers
W. P. Cropper	A. B. Holland	Claude D. Minor
R. T. Crowe	David J. Howard	S. Montgomery
H. C. Cummins	J. M. Howell	G. B. Moores
S. C. Dobbs	Chas. L. Hunter	John T. Murphy
Ja . R. Dorman	R.B.Hutchcraft,Jr.	B. F. McAtee
W. E. Dowling	J. M. Johnson	E. B. McGlone
William Duffy	T. R. Jones	W. J. McMurray
Odie Duncan	W. H. Jones	L. T. Neat

C. B. Nichols	John T. Roach	D. B. Tyra
S. Mazyck O'Brien	Joe Schneider	John S. Webb
William A. Perry	L. M. Smith	W. M. Webb
Geo. L. Pickett	E. D. Smith	J. D. Wills
A. B. Pieratt	Claude B. Smith	M. O. Wilson
W. A. Price	John W. Snider	E S. Wood
J. D. Pumphrey	Adam Spahn	Louis E. Yewell
Richard Radcliffe	Ed. D. Stone	E. G. Young
D. S. Richardson	R. C. Tartar	H. C. Duffy

—78

Those who voted in the negative were—

Chas. D. Bratcher	L. L. Embrey	Lewis Ryans
G. G. Brashear	Wm. Gearheart	J. H. Thompson
E. Bullock	C. H. Grimes	Robt. R. Treadway
Henry A. Cannon	R. B. Jackson	J. W. Wall
James S. Cruse	A. J. Oliver	Frank M. White
Thomas A. Dover	Harry P. Purnell	

—17

Resolved that the title thereof be as aforesaid.

Mr. Pumphrey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hutchcraft moved that the Hon. W. C. Allen be granted the privileges of the floor of this House during the remainder of the session.

Said motion was agreed to.

By unanimous consent the Hon. John A. Judy was granted the privilege of the floor of this House today.

And then the House adjourned.

FRIDAY, FEBRUARY 4, 1916.

The House was opened with prayer by the Rev. Father O'Dwyer of the Roman Catholic Church, of Frankfort, Ky.

The reading of the Journal of yesterday was dispensed with.

Upon a call of the counties and representative districts, the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Cropper:

H. B. 409. An act to require abutting property owners to cut the shrubbery and weeds on right of ways of turnpike or macadamized roads in this Commonwealth.

To the Committee on Public Roads and Highways.

By Mr. Greene:

H. B. 410. An act to regulate the promotion and organization of insurance corporations.

To the Committee on Insurance, Fire and Marine.

By Mr. Lee:

H. B. 411. An act to amend section 490 of the Civil Code of Practice concerning the sale or real property and to authorize the confirmation of certain sales heretofore made.

To the Committee on Codes of Practice.

By Mr. Radcliffe:

H. B. 412. An act amending an act entitled "An act for the government of cities of the fourth class," approved March 19, 1908.

To the Committee on Cities of the Fourth Class.

By Mr. Howell:

H. B. 413. An act concerning license taxes, to amend section 4224, Kentucky Statutes.

To the Committee on Criminal Law.

By Mr. Crowe:

H. B. 414. An act to amend chapter 4 of Kentucky Statutes, Carroll's edition 1915, relating to the department of Agriculture, Labor and Statistics, and the duties of the Commissioner of Agriculture, Labor and Statistics, providing for an increase in the salary and creating the office of an assistant commissioner of Agriculture, Labor and Statistics, and providing for his salary and providing for a member of the State Board of Agriculture from the State at large, and authorizing the expenditures of such moneys as are not appropriated for the Department of Agriculture, Labor and Statistics annually, and providing for a marketing bureau in this department.

To the Committee on Agriculture.

By Mr. Howard:

H. B. 415. An act to amend the Civil Code of Practice and to provide for the sale in all cases of individual real estate in which a dower or courtesy right exists.

To the Committee on Codes of Practice.

By Same:

H. B. 416. An act to amend section 1, subdivision 4, article 12, chapter 22, of an Act of the General Assembly of 1906, being "An act relating to revenue and taxation," which name is now section 4224 of the Kentucky Statutes.

To the Committee on State Fair.

By Mr. Meyers:

H. B. 417. An act to prevent deception and misrepresentation in the sales of metallic commodities, and providing a penalty therefor.

To the Committee on Municipalities.

By Same:

H. B. 418. An act to amend Carroll's edition, Kentucky Statutes 4303 (17).

To the Committee on Public Roads and Highways.

By Mr. Spahn:

H. B. 419. An act to amend an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

To the Committee on Municipalities.

A message was received from the Senate announcing that they had passed bills which originated in that body, of the following titles, viz.:

S. B. 38. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition 1909, relating to revenue and taxation.

To the Committee on Revenue and Taxation.

S. B. 129. An act to provide for a State flag for the Commonwealth of Kentucky and to provide for the design thereof.

To the Committee on Public Monuments and Historical Records.

S. B. 131. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

To the Committee on Judiciary.

By unanimous consent of the House Mr. W. H. Brown was granted an indefinite leave of absence.

By unanimous consent of the House Mr. T. R. Jones was granted an indefinite leave of absence.

Mr. Greene sent to the clerk's desk a communication relating to public roads and highways.

The Speaker ordered said communication read to the House, viz.:

February 2, 1916.

Hon. F. C. Greene,
Frankfort, Ky.

Dear Friend:—

There ought to be an amendment to the five cents State aid act which would enable the counties building roads under it to get the State's paper and convert in into cash for immediate use.

For instance, a county votes for a bond issue, as in this county, and proceeds to build a good many miles of road. There will not be a sufficient amount of State aid available in any one year to pay the State's one-half of construction expenses. If the State's obligation could be evidenced by warrants, this could be immediately available for present necessities.

If your views coincide with those herein expressed will you not take the matter up with the House Committee on Public Roads?

With best wishes, I am,

Yours truly,

Signed: LILBURN PHELPS.

To the Committee on Public Roads and Highways.

Messrs. Brashear and John S. Webb announced to the House that they were paired on all questions coming before the House today.

Mr. Meyers moved that when this House adjourns today it be to meet again on Monday, February 7, 1916, at one o'clock p. m.

Mr. Greene moved as an amendment to the aforesaid motion to adjourn that when this House adjourns today it be to meet tomorrow at 10:10 o'clock a. m.

The yeas and nays being called for by Messrs. Greene and Meyers on the amendment proposed by Mr. Greene, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	W. B. Harvey	Robt. R. Treadway
Chas. D. Bratcher	W. C. G. Hobbs	J. W. Wall
E. Bullock	A. B. Holland	W. M. Webb
Henry A. Cannon	Dr. C. W. Mathers	Frank M. White
T. T. Gardner	A. B. Pieratt	J. D. Wills
Wm. Gearheart	Richard Radcliffe	M. O. Wilson
Frank C. Greene	L. M. Smith	E. S. Wood
C. H. Grimes	Thomas Spurrier	E. G. Young
L. B. Hamilton	Ed. D. Stone	—26

Those who voted in the negative were—

Peter Ampler	L. L. Embrey	Claude D. Minor
C. H. Bays	W. G. Gooch	S. Montgomery
Frank J. Brown	J. M. Howell	G. B. Moores
R. A. Cook	Chas. L. Hunter	John T. Murphy
A. S. Cooper	R.B.Hutchcraft,Jr.	B. F. McAtee
S. B. Coleman	R. B. Jackson	E. B. McGlone
W. P. Cropper	J. M. Johnson	C. B. Nichols
R. T. Crowe	W. H. Jones	S. Mazyck O'Brien
S. C. Dobbs	H. Clay Kauffman	William A. Perry
Jas. R. Dorman	Wm. J. Kuh	Geo. L. Pickett
Thomas A. Dover	M. E. Lee	W. A. Price
W. E. Dowling	Dr. J. E. Lilly	J. D. Pumphrey
William Duffy	W. R. Lyon	Harry P. Purnell
Odie Duncan	Jacob Metzger	D. S. Richardson
J. M. Elliston	Harry J. Meyers	John T. Roach

Lewis Ryans	Claude B. Smith	J. H. Thompson
Joe Schneider	John W. Snider	D. B. Tyra
E. D. Smith	Adam Spahn	Louis E. Yewell

—54

And so said motion and amendment were disagreed to.

The yeas and nays being called for by Messrs. Greene and Meyers on Mr. Meyers motion to adjourn, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. M. Howell	C. B. Nichols
Frank J. Brown	Chas. L. Hunter	S. Mazyck O'Brien
Glover H. Cary	R.B.Hutchcraft,Jr.	William A. Perry
R. A. Cook	R. B. Jackson	Geo. L. Pickett
A. S. Cooper	J. M. Johnson	W. A. Price
S. B. Coleman	W. H. Jones	J. D. Pumphrey
W. P. Cropper	H. Clay Kauffman	Harry P. Purnell
R. T. Crowe	Wm. J. Kuh	D. S. Richardson
H. C. Cummins	W. T. Lasley	John T. Roach
S. C. Dobbs	Dr. J. E. Lilly	Lewis Ryans
Jas. R. Dorman	W. R. Lyon	Joe Schneider
Thomas A. Dover	Jacob Metzger	E. D. Smith
W. E. Dowling	Harry J. Meyers	Claude B. Smith
William Duffy	Claude D. Minor	John W. Snider
Odie Duncan	S. Montgomery	Adam Spahn
J. M. Elliston	G. B. Moores	J. H. Thompson
Wm. Gearheart	John T. Murphy	D. B. Tyra
W. G. Gooch	B. F. McAtee	Louis E. Yewell
W. C. G. Hobbs	E. B. McGlone	E. G. Young

—57

Those who voted in the negative were—

H. F. S. Bailey	L. L. Embrey	L. B. Hamilton
G. G. Brashear	T. T. Gardner	W. B. Harvey
E. Bullock	Frank C. Greene	Dr. C. W. Mathers
Henry A. Cannon	C. H. Grimes	A. B. Pieratt

Richard Radcliffe	Robt. R. Treadway	J. D. Wills	
L. M. Smith	J. W. Wall	M. O. Wilson	
Thomas Spurrier	W. M. Webb	E. S. Wood	
Ed. D. Stone	Frank M. White		—23

And so said motion made by Mr. Meyers was agreed to.

Mr. Meyers moved that the vote by which his said motion to adjourn was agreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By unanimous consent of the House Mr. Cruse was granted an indefinite leave of absence.

By the unanimous consent of the House Hon. Frank M. Tracy and Hon. R. C. Simmons were granted the privileges of the floor of the House today.

The time for the special order of the day having been indicated to the House, viz.: 11 o'clock.

The House took up for consideration the special order of the day, viz.: a bill entitled:

H. B. 149. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A trust or monopoly as used in this act, unless a contrary intention appears, is an association or combination

of any number of persons established or organized prior, or subsequent, to the passage of this act, and either in the State of Kentucky or elsewhere, and whether incorporated or unincorporated, having as its object, or as one of its objects, that of fixing, influencing or regulating the supply, demand or price of any goods, product or commodity in the State of Kentucky, or elsewhere; or that of creating, or maintaining, a monopoly in Kentucky, or elsewhere, whether complete or partial, in the supply or demand of any goods, product or commodity.

§ 2. The word "person" or "persons," as used in this act, shall include natural persons, partnership, associations of persons and corpoartions created, or organized, by, or under, the laws of this State, or under the laws of any other State or country.

§ 3. Any person who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederation or understanding with any person or persons, in restraint of trade or competition, in the importation, transportation, manufacture, purchase or sale of any goods, product or commodity in this State, shall be deemed guilty of a conspiracy in restraint of trade.

§ 4. Any person who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederation or understanding with any other person or persons to regulate, control or fix the price of any article of manufacture, mechanism, or part thereof, merchandise or commodity, or to maintain such price when so regulated or fixed, or shall enter into, become a member of, or participate in, any pool, trust, agreement, contract, combination, confederation or understanding to fix or limit the amount of any article of manufacture, mechanism, or part

thereof, merchandise, commodity, shall be deemed guilty of a conspiracy in restraint of trade.

§ 5. Any two or more persons engaged in buying or selling any article of commerce, manufacture, mechanism, or part thereof or other commodity, or who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederacy, association or understanding to control or limit the trade in any such article or thing, or to limit competition in such trade by refusing to buy from, or sell to, any other person any such article or thing aforesaid, for the reason that such other person is not a member of, or a party to, such pool, trust, combination, confederacy, association or understanding, or who shall boycott, or threaten, any person for buying or selling any such article or thing to any other person who is not a member of, or a party to, such pool, trust, agreement, combination, confederacy, association or understanding, shall be deemed guilty of a conspiracy in restraint of trade.

§ 6. All arrangements, understandings, agreements, contracts, combinations or promises made, or entered into, between any two or more persons, designed, or made, with a view to lessen, or which tend to lessen, lawful trade, or full and free competition in the importation, transportation, manufacture or sale in this State of any goods, product, commodity or article; and all arrangements, contracts, agreements, combinations, promises, or understandings made, or entered into, between any two or more persons, which are designed, or made, with a view to increase, or which tend to increase, the market price of any product, commodity, goods, or article, are hereby declared to be against public policy, unlawful and void, and any person or persons creating, entering into, becoming a member of, or party to, any such arrangements, contracts, promises, agreements, combinations or understandings, shall be deemed guilty of a conspiracy in restraint of trade.

§ 7. Any corporation created, or organized, by, or under, the laws of this State, which shall be guilty of any violation of the provisions of this act, shall, upon proper proof being made thereof in any court of competent jurisdiction in this State, be declared by the court to have forfeited its corporate rights and franchises, and the same shall be, by the court, declared forfeited, void and of non-effect, and its right to transact business in this State shall thereupon cease and determine, and such court shall, by such judgment and decree, also declare all, or any part, of the property of such corporation forfeited unto the State; provided, however, that the court may in lieu of the forfeiture of its corporate rights and franchises, or in lieu of the forfeiture of all, or any part of the property of such corporation, assess against it a fine in any sum not to exceed $10,000, and should a corporation continue to violate the law after having been adjudged guilty, such continuance shall constitute a separate offense; and any corporation created, or organized, by, or under, the laws of any other State, or country, which shall violate any of the provisions of this article, shall, upon proper proof being made thereof in any court of competent jurisdiction of this State, be declared by the court to have forfeited its right and privilege thereafter to do any business in this State, and the same shall, by the court, be declared forfeited and of non-effect, and it shall thereupon cease to do business in this State, and such court shall, by judgment and decree, declare all, or any part, of the property in this State of such corporation forfeited to the State; provided, however, that the court may in lieu of the forfeiture of the right and privilege of such corporation to do business in this State, or in lieu of the forfeiture of all, or any part, of the property of such corporation assess against it a fine in any sum not to exceed $10,000, and should such corporation continue to violate the law after having been convicted, such continuance shall be deemed a separate offense; and in all proceedings for the violation of any of the provisions of this article against any corporation created or

organized under the laws of this, or any other State or country, proof of the acts of any person who has been acting as agent of such corporation in transacting its business in this State in the name, behalf or interest of such corporation shall be received as prima facie proof of the acts of the corporation itself. It shall be the duty of the clerk of the court in which judgment of forfeiture shall be rendered as herein provided for, to certify the decree thereof to the Secretary of State, and, if it be an insurance company, also to the Insurance Commissioner, who shall take notice and be governed thereby as to the corporate powers and rights of said corporation, and in case any court shall render a decree forfeiting all, or any part, of the property of any corporation violating the provisions of this article, such court shall appoint a receiver therefor to dispose of the same in such manner as the court may direct, and the net proceeds arising from the sale thereof shall be paid into the State Treasury in the manner that fines are now so paid.

§ 8. Any person injured in his business, or property, by any other person or persons by reason of any acts forbidden, or declared to be unlawful by the provisions of this act, may institute suit therefor in any circuit court in this State, in which the defendant or defendants, or any of them, reside, or have any officer, agent or representative, or in which any such defendant or any agent, officer or representative may be found, without regard to the amount in controversy, and may recover threefold the damages by him sustained.

§ 9. It shall be unlawful for any corporation to issue, or to own, trust certificates, or for any corporation agent, officer or employe, or the directors, or stockholders of any corporation, to enter into any combination, contract or agreement with any person or persons, corporation or corporations, or with any stockholder or director thereof, for the purpose of placing the management or contorl of such corporation, or

of any article manufactured, produced or dealt in by such corporation, in the hands of any trustee or trustees, with the intention to limit, or fix the price, or lessen the production or sale of any article of commerce, use or consumption, or to prevent, restrict or diminish the manufacture or output of any such article or product, and no corporation nor officer or stockholder of any corporation, shall own or vote any stock of any other corporation engaged in the manufacture, purchase or sale of any article of commerce coming in competition with any article of commerce manufactured, bought or sold by such other corporation.

§ 10. When the corporate rights or privileges of any corporation organized under the laws of this State, shall have been declared forfeited by the judgment of a court as herein provided, and when the rights and privileges of any corporation organized under the laws of any other State, or country to do business in this State, have been declared forfeited by the judgment of a court as herein provided, it shall thereafter be unlawful for any person, corporation or association of persons to deal in, or offer for sale in this State, any article of manufacture, mechanism or part thereof, or merchandise, commodity, made, produced, manufactured or dealt in, by any corporation whose rights, franchises or privileges have been so forfeited; and the foregoing provisions of this section are hereby made applicable in all respects to the successors, or assigns, of any corporation whose rights, franchises or privileges have been so forfeited.

§ 11. In any suit that is now pending, or which may hereafter be brought, in which it is charged that any person, corporation, partnership or association of persons has created, entered into, become a member of, or participated in, any pool, trust, agreement, combination, confederation, promise or understanding in restraint of trade or competition, with any other person, corporation, partnership or association of per-

sons, it shall not be necessary to allege or plead the manner in which, or when, or where, such pool, trust, agreement, combination, confederation or understanding was made or effected.

§ 12. All courts of competent jurisdiction shall have the right and are hereby authorized and empowered to compel the production of all books, correspondence, or other papers, showing, or tending to show any violation of this act, or containing evidence material to the matter under investigation, and such courts are hereby empowered to punish for contempt any officer, agent, employe, custodian or person in the possession of such books, correspondence or papers; but no person shall be subject to prosecution, or to any action for a penalty, or a forfeiture on account of any transaction, matter or thing concerning which he may testify or produce books or papers.

§ 13. Any person, firm, company, association or corporation, foreign or domestic, doing business in the State of Kentucky, and engaged in the production, manufacture or distribution of any commodity in general use, that shall, intentionally, for the purpose of destroying the business of a competitor in any locality, discriminate between different sections, communities or cities of this State, by selling such commodity at a lower rate in one section, community, or city than is charged for said commodity by said party in another section, community or city, after making due allowance for the difference, if any, in the grade or quality, and in the actual cost of transportation from the point of production, if a raw product, or from the point of manufacture, if a manufactured product, shall be deemed guilty of unfair discrimination which is hereby prohibited and declared unlawful.

§ 14. If complaint shall be made to the Attorney General of the State that any corporation, company or association

authorized to do business in this State, is guilty of unfair discrimination as defined in the preceding section, it shall be the duty of the Attorney General, if the facts justify in his judgment, to institute proceedings against such corporation to have its right or privilege to do business in this State forfeited.

§ 15. Any person violating any of the provisions in this act, or who shall do any act prohibited, or declared unlawful herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed $5,000, except where a different penalty is provided in this act, or the penalty herein prescribed may be recovered by penal action instituted in the name of the Commonwealth of Kentucky in any court having jurisdiction under the provisions of this act.

§ 16. Any prosecution, or penal action provided for in this act, or under the laws of this State for offenses mentioned in this act, may be instituted in the Franklin Circuit Court, and jurisdiction to try all such prosecutions, or actions, is hereby vested in the Franklin Circuit Court, and it is hereby made the duty of the Attorney General to institute such prosecutions, or penal actions, in said court and prosecute same for the Commonwealth of Kentucky, but the jurisdiction thus placed in the Franklin Circuit Court shall not be exclusive, and any such prosecution, or action, may be instituted in any circuit court in this State where the offense or violation of this act may have been committed, and if such prosecution is instituted in any circuit court other than the Franklin Circuit Court, it shall be the duty of the Commonwealth's Attorney to prosecute such offenses in the same manner that he is now required to prosecute other offenses for the violation of the laws of this State.

§ 17. The several circuit courts of this State are hereby invested with the jurisdiction to prevent and restrain any

person or persons, corporation, partnership or association of individuals, from entering into any combination, pool, agreement, in the form of trusts, confederation, conspiracy, promise or understanding, declared illegal by this act, or any other law in this State relative to pools, trusts, conspiracies, and unlawful combinations, and it shall be the duty of the Attorney General, and of the Commonwealth's Attorneys to institute proceedings in equity to prevent and restrain all violations of this act, and of any other law concerning pools, trusts, conspiracies, and unlawful combinations, and the Franklin Circuit Court is hereby invested with the jurisdiction to hear and determine any injunction proceeding that may be instituted pursuant to the provisions of this section, and such injunction proceeding shall be governed by the provisions of the Civil Code of Practice, and the court may, at any time, make such temporary restraining order as may be deemed just in the premises.

§ 18. It is hereby made the duty of the Attorney General to investigate violations of this act, and to bring to the attention of the Commonwealth's Attorneys throughout the State any violaion of this act, and it is further made the duty of the Attorney General, when he deems it of sufficient importance to institute suit in behalf of the Commonwealth in the Franklin Circuit Court, or to institute prosecutions to prevent the violation of the provisions of this act.

§ 19. The passage of this act shall not have the effect to release or extinguish any penalty, forfeiture or liability incurred by any corporation on account of the violation of any law of this State prior to the taking effect of this act.

§ 20. The provisions of this act shall not apply to any organization or association having no capital stock, and not engaged in the business of buying, selling, dealing in, manufacturing or producing any article of commerce or commodity.

§ 21. Any officer, stockholder or other person interested in any corporation, association or company mentioned in this act who shall aid or assist in the violation of this act shall be deemed guilty of a misdemeanor and upon conviction shall fined not to exceed $10,000 or imprisoned not exceeding one year, or both so fined and imprisoned.

Mr. Cary offered the following amendment to said bill, viz.:

Amend section 17 by adding after the word "Commonwealth's" in the 8th line thereof the words "and county."

Amend said section 17 further by striking out the word "Franklin" in the eleventh line thereof and by adding after the word "court" in the eleventh line thereof the words "of any county in which the offense is committed."

Said amendment was agreed to.

Mr. Cary offered the following amendment to said bill, viz.:

Strike out section 20 and insert in lieu thereof:

"The provisions of this act shall not apply to any organization or association having no capital stock or not engaged in the business of making, manufacturing or transporting any article or commodity."

Said amendment was agreed to.

Mr. Cary offered the following amendment to said bill, viz.:

Amend by striking out section 16, on page 8, inserting in lieu thereof:

"It is hereby made the duty of the Attorney General and of the Commonwealth Attorney in the districts in which such offenses shall have been committed, to institute prosecutions or penal actions in all courts having competent jurisdiction, and, it shall be the duty of the Commonwealth Attorney and county attorney in such districts to prosecute such offenses in the same manner as they are now required by law to prosecute other offenses for the violations of the laws of this State."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	S. C. Dobbs	W. C. G. Hobbs
H. F. S. Bailey	Jas. R. Dorman	A. B. Holland
C. H. Bays	Thomas A. Dover	David J. Howard
Frank J. Brown	W. E. Dowling	J. M. Howell
E. Bullock	William Duffy	Chas. L. Hunter
Henry A. Cannon	Odie Duncan	R.B.Hutcheraft,Jr.
Glover H. Cary	J. M. Elliston	R. B. Jackson
R. A. Cook	T. T. Gardner	J. M. Johnson
A. S. Cooper	Wm. Gearheart	W. H. Jones
S. B. Coleman	W. G. Gooch	H. Clay Kauffman
W. P. Cropper	Frank C. Greene	Wm. J. Kuh
R. T. Crowe	L. B. Hamilton	W. T. Lasley
H. C. Cummins	W. B. Harvey	M. E. Lee

Dr. J. E. Lilly	Geo. L. Pickett	Thomas Spurrier
W. R. Lyon	A. B. Pieratt	Ed. D. Stone
Dr. C. W. Mathers	W. A. Price	R. C. Tartar
Jacob Metzger	J. D. Pumphrey	J. H. Thompson
Harry J. Meyers	Harry P. Purnell	Robt. R. Treadway
Claude D. Minor	Richard Radcliffe	J. W. Wall
S. Montgomery	D. S. Richardson	W. M. Webb
G. B. Moores	John T. Roach	Frank M. White
John T. Murphy	Lewis Ryans	J. D. Wills
B. F. McAtee	Joe Schneider	M. O. Wilson
W. J. McMurray	E. D. Smith	Louis E. Yewell
C. B. Nichols	Claude B. Smith	E. G. Young
S. Mazyck O'Brien	John W. Snider	
William A. Perry	Adam Spahn	—79

Those who voted in the negative were—

Chas. D. Bratcher	C. H. Grimes	E. S. Wood
L. L. Embrey	E. B. McGlone	—5

Resolved that the title thereof be as aforesaid.

Mr. Kauffman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Minor offered the following resolution, viz.:

Whereas, it is the desire of the members of the present House of Representatives to save to the Commonwealth of Kentucky any and all money that it is within their power to control, and to see the various departments of the State conducted along as conservative lines as possible to insure the efficiency required of same; and,

Whereas, it is obvious to the members of this House

that a great sum of money is annually expended for the publication of reports of the various departments of this Commonwealth; therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the Speaker of this House appoint a committee of three to confer with the Superintendent of Public Printing and the Auditor of Public Accounts and ascertain the annual cost to the State for the publication of the reports of the various departments of this State, and any and all information relating thereto as such committee deems should be known to this House, and which shall be reported to the House by said committee as soon as such information can be obtained.

Said resolution was adopted.

In accordance with the aforesaid resolution the Speaker appointed the following committee, viz.:

Messrs. Minor, Snider and Cummins.

Mr. Nichols called up from the clerk's desk for consideration a resolution of the following title, viz.:

H. Res. 10. Resolution accepting the terms of the Smith-Lever bill and authorizing the State University to receive the funds that accrue to the State of Kentucky.

(For said resolution see House Journal of January 31st.)

Said resolution was adopted.

Mr. Cary offered the following joint resolution, viz.:

RESOLUTION FOR THE BENEFIT OF W. C. ALLEN AND S. C. DOBBS.

Whereas, S. C. Dobbs instituted a contest against W. C. Allen before the House of Representatives, contesting the seat of said Allen as Representative from the Thirty-sixth Legislative District of Kentucky, said district being composed of the counties of Wayne and Clinton, and whereas, the said contest has been determined by the said House in favor of said Dobbs, and it has been decided that said Dobbs and not said Allen was duly elected Representative from the Thirty-sixth Legislative District, and said Dobbs has taken his seat as said Representative; and,

Whereas, it appears that in prosecuting said contest said Dobbs has expended sums on the following accounts, to-wit: Witness fees, $29.20; examiners' fee, $33.90; sheriff's fees, $20.99; livery and hotel bills of O. B. Bertram taking depositions at Albany, $14.00; railroad fare of O. B. Bertram from Monticello to Frankfort and return $8.70; hotel bill in Frankfort two days, $5.00; telephone fees to Frankfort and Albany, $20.00; hotel bill of witness at Monticello, $3.00; cost of suit, $4.30; total, $139.09; and that in defending said contest Allen expended and incurred indebtedness for the following amounts on the following accounts, to-wit: Witness fees, $8.00; examiners' fees, $15.75; sheriff's fees, $2.50; railroad fare of J. C. Davis, attorney, from Monticello to Frankfort and return, $8.70; hotel bill two days, $5.00; total, $39.95; and,

Whereas, it became necessary for contestant and contestee to employ attorneys to represent each of them in the preparation and hearing of said contest, the said attorneys preparing the notice of contest and all other legal papers required and attending the taking of depositions and the hearing of the contest before the Contest Committee; and,

Whereas, it appears that the sum of $250.00 would be and is a reasonable fee for compensation for the services of the attorneys for the contestant S. C. Dobbs, and that $250.00 would be and is a reasonable fee for the services of the attorneys for the contestee Allen; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the sum of $389.09, being his costs and expenses and attorneys' fees above mentioned, be and it is hereby allowed to S. C. Dobbs; and that the sum of $289.95 being his costs and expenses and attorneys' fees above mentioned, be and it is hereby allowed to W. C. Allen, on account of said contest; and be it further resolved, that the Auditor of Public Accounts of this Commonwealth be and he is hereby directed to draw his warrant on the State Treasurer for the sum of $389.09 in favor of S. C. Dobbs and for the sum of $289.95 in favor of W. C. Allen.

Be it further resolved, that said Dobbs is entitled to the salary as a member of this House from the beginning of the present session, and the clerk of this House is hereby directed to so certify to the Auditor of Public Accounts, and the Auditor is directed to issue his warrant in favor of said Dobbs for said salary.

To the Committee on Appropriations.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 178. An act to amend an Act of the General Assembly of the Commonwealth of Kentucky, approved March 18, 1912, entitled: "An act relating to cities of the fifth class, and repealing section 3643, chapter 89, Kentucky Statutes, Carroll's edition."

H. B. 91. An act to repeal chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 to 4535h, inclusive, and re-enact the same chapter with the articles and sections rearranged, simplified, and the repealed sections and parts of sections omitted.

With an amendment by way of substitute therefor.

H. B. 187. An act providing for the working of prisoners who are confined in the prisons, on State highways and bridges constructed by the Department of Public Roads; providing for the setting apart of a fund from the State Road Fund, to be used by the Department of Public Roads in building State roads and bridges with convict labor, and to enable said highway department to work said prisoners in the mining, quarrying and manufacturing and preparation of material for building roads and bridges; providing aid and assistance to the Commissioner of Public Roads in the construction of State roads with convict labor and otherwise; providing for the assignment of prisoners to do State road work, and for their supervision and management while so engaged; providing method of payment for the roads so constructed out of the State Road Fund, and authorizing the Board of Prison Commissioners to provide means of employment for convicts while not engaged in working on public roads and bridges, and in the manufacturing, quarrying, mining and preparation of road material; providing that the Board of Prison Commissioners may lease farms on which to work convicts, and providing compensation for all prisoners that may work under the supervision of the Board of Prison Commissioners.

With an amendment thereto by way of substitute therefor.

H. B. 189. An act to repeal and re-enact chapter 19 of

the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony or misdemeanor.

With an amendment thereto.

H. B. 188. An act to amend and re-enact section 2 of chapter 70 of the Acts of the General Assembly of 1914, which relates to the parole of prisoners confined in the State penal institutions.

With an amendment thereto.

H. B. 190. An act to prevent any person interfering with the work of convicts outside of the walls of the penitentiary, and prohibiting any person from giving or furnishing to any such convict, opium, cocaine, intoxicating liquors, any narcotic of any kind whatever, fire arms, weapons, or explosives.

H. B. 165. An act for the protection of fish.

With an amendment thereto.

H. B. 242. An act for the protection of game birds and game animals.

With an amendment thereto.

H. B. 252. An act amending an act entitled, "An act for the protection of game and fish."

H. B. 37. An act to amend subsection 5 of section 13 of the Criminal Code, extending the jurisdiction of county judges, and justices in criminal cases.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were

read the second time by their titles, and ordered to be placed in the orders of the day.

The committees to which the same had been referred reported bills of the following title, viz.:

By Mr. Gardner, of the Committee on Agriculture:

H. B. 310. An act to prevent persons from entering upon the lands of another for the purpose of digging ginseng, yellow root, golden seal (yellow puccoon), mayapple or other roots.

By Same:

H. B. 290. An act to amend section 1228a, Kentucky Statutes, Carroll's edition, 1915, article 3, subdivision 14, and Acts of 1902, chapter 22, relating to trespass.

With an amendment thereto.

By Mr. Minor of the Committee on Appropriations:

H. B. 196. An act to repeal section 6 of chapter 62, Acts 1908, entitled "An act to amend an act approved March the 21st, 1906, entitled 'An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal Executive Council, which shall determine the requirements for admission and graduation and the courses of study for said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance,'" and to re-enact and substitute in lieu thereof the following.

By Same:

S. Res. 11. Relating to Appropriation Committees.

By Same:

S. B. 47. An act providing for the payment of claims arising from loss on account of the slaughter of animals having the foot and mouth disease, and making an appropriation therefor.

By Mr. Cary of the Committee on Banks and Banking:

H. B. 320. An act to repeal section 596 of Kentucky Statutes (Carroll's 1915 edition) relative to the payment of dividends by banks, and re-enacting said section.

By Mr. Wm. Duffy, of the Committee on Compensation for Industrial Injuries:

H. B. 98. An act to provide an elective system of workmen's compensation for industrial accidents, prescribing the manner of election and the rights and liabilities of employers, employes and third parties; making provision for medical and surgical care of injured employes; establishing rates of compensation for personal injuries or death; providing methods of insuring and securing the payments of such compensation; making minors *sui juris* for certain purposes; creating a board to administer this act, prescribing the duties, powers and rights thereof and imposing a tax upon insurance premiums for the maintenance of such board and providing a system of appeal to the courts from the decisions of such board; prescribing certain penalties, with an emergency clause, and appropriating certain sums to meet the expenses of putting this act into effect, and repealing all laws and parts of laws in conflict herewith, to the extent of such conflict.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

House Bills 310, 290, 196 and 320, and Senate Resolution 11 and Senate Bill 47 were severally read the first time at length and ordered to be placed in the calendar.

During the reading at length of House Bill 98, and before the same had been completed, the regular hour of adjournment of this House having arrived, viz.: 1:30 o'clock p. m.

The House adjourned in accordance with a motion previously made to meet again on Monday, February 7, 1916, at 1 o'clock p. m.

MONDAY, FEBRUARY 7, 1916.

The House was opened with prayer by the Rev. Benjamin Andres, Pastor of the Southern Presbyterian Church, of Frankfort, Kentucky.

The reading of the Journal of Friday, February 4, 1916, was dispensed with.

By unanimous consent of the House, Mr. A. T. Bryson was granted the privilege of the floor of this House today.

Mr. L. M. Smith moved that House Bill 194 be recommitted with leave to be reported at any time without notice.

Said motion was agreed to.

Mr. F. C. Greene moved that the order of business be suspended and the session of today be extended until reports of committees and all questions bearing thereon be had.

Said motion was agreed to.

Upon the call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Hutchcraft:

H. B. 420. An act to regulate the sale, furnishing and use of wood alcohol or wood naphtha, providing for its labeling, and providing penalties for violations thereof.

To the Committee on Public Health.

By Mr. Minor:

H. B. 421. An act to amend an act entitled "An act to establish a Department of Banking; providing for the appointment of a commissioner, deputy commissioner and examiners thereof, and prescribing their duties; and for the examination of all financial institutions organized and doing business under the laws of this Commonwealth," approved March 4th, 1912, by repealing and re-enacting sections 13 and 18, said sections relating to penalties for violations of the banking laws, and to the powers and authorities of the commissioner and deputy commissioner.

To the Committee on Banks and Banking.

By Mr. Wills (By Request):

H. B. 422. An act to amend an act entitled "An act for the government of cities of the fourth class."

To the Committee on Cities of the Fourth Class.

By Mr. Stone:

H. B. 423. An act to amend section 4224, chapter 108, subdivision IV. relating to amount of license tax to be paid by retailers of spirituous, vinous and malt liquors.

To the Committee on Revenue and Taxation.

By Mr. Hobbs (By Request):

H. B. 424. An act for the benefit of the Kentucky Normal and Industrial School for Colored Persons.

To the Committee on Appropriations.

By Mr. Spurrier:

H. B. 425. An act to abolish the office of Assessor in the State of Kentucky.

To the Committee on Public Offices.

By Mr. O'Brien:

H. B. 426. An act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 19, 1912, entitled "An act to provide for the organization, armament, equipment, discipline and government of the militia."

To the Committee on Military Affairs.

By Mr. Murphy:

H. B. 427. An act to amend an act relating to interur-

ban and electric railroads and defining their powers and duties.

To the Committee on Railroads.

By Mr. Price:

H. B. 428. An act to amend an act approved March 21, 1910, being chapter 50 of the Acts of 1910, entitled "An act to amend an act entitled 'An act for the government of cities of the second class in the Commonwealth of Kentucky,' " which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear as article 13, chapter 89, of the Kentucky Statutes, John D. Carroll's edition of 1915.

To the Committee on Municipalities.

By Mr. Bays:

H. B. 429. An act to amend and re-enact the last section of chapter 114, Acts of 1910, relating to colored visitors—election.

To the Committee on Education.

By Same:

H. B. 430. An act to require corporations, firms, partnerships or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day same is payable under the law to the said employe.

To the Committee on Judiciary.

By Mr. Hunter:

H. B. 431. An act to provide for the advertisement of contracts on State aid road work.

To the Committee on Public Roads and Highways.

By Mr. White:

H. B. 432. An act to prohibit the shipping of live foxes out of the State of Kentucky.

To the Committee on Agriculture.

By Mr. Pieratt:

H. B. 433. An act to amend and re-enact section 2569b, Kentucky Statutes, being a portion of article 2 of chapter 81 of such statutes, entitled "Liquors, Intoxicating," and being chapter 7 of the Acts of 1914.

To the Committee on Alcoholic Liquor Traffic.

By Mr. Howard:

H. B. 434. An act to allow the use of slat traps and hoop nets in the navigable streams and rivers of Kentucky.

To the Committee on Fish and Game.

By Mr. Hutchcraft:

H. B. 435. An act to provide means for the analysis and examination, investigation, publication, and other necessary expenses connected with the carrying out of chapter 4 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1908, entitled "An act for preventing the man-

ufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof,'' and appropriating and limiting the amount of money to be paid from the Treasury of the Commonwealth for such work.

To the Committee on Public Health.

By Mr. Duffy:

H. B. 436. An act to amend section 6 of the act approved March 23, 1910, entitled: ''An act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy.''

To the Committee on Municipalities.

By Mr. Cooper:

H. B. 437. An act to authorize fiscal courts to pay attorneys appointed to defend indigent persons, accused and charged with crime, either misdemeanors or felonies, a reasonable fee for defending such persons.

To the Committee on Kentucky Statutes.

A message was received from the Senate announcing that they had passed bills which originated in that body, of the following titles, viz.:

S. B. 13. An act to regulate the holding of circuit court in the Sixth Judicial District of Kentucky, and amending section 965 of Kentucky Statutes.

To the Committee on Circuit Courts.

S. B. 111. An act to amend and re-enact subsection 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as The State Text Book Commission Law.

To the Committee on Education.

S. B. 139. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

To the Committee on Kentucky Statutes.

Also that they had adopted a joint resolution of the following title, viz.:

S. Res. 10. Resolution memoralizing Kentucky's U. S. Senators to urge enactment of "Shackelford Roads Bill."

To the Committee on Public Roads and Highways.

Also that they had concurred in the House amendments to Senate Bill 17.

(For said bill and amendments see House Journal of February 3rd.)

By unanimous consent of the House Mr. L. T. Neat was granted an indefinite leave of absence.

Mr. William Duffy moved that the rules be suspended and that House Bill 187 be taken from the orders of the day and made the special order of the day on Thursday next at 11 o'clock a. m.

The yeas and nays being called for on said motion by Messrs. W. M. Webb and M. O. Wilson, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	A. B. Holland	W. A. Price
H. F. S. Bailey	Chas. L. Hunter	J. D. Pumphrey
Geo. B. Barrett	R.B.Hutchcraft,Jr.	Richard Radcliffe
Frank J. Brown	T. R. Jones	D. S. Richardson
Glover H. Cary	H. Clay Kauffman	Lewis Ryans
R. A. Cook	Wm. J. Kuh	Joe Schneider
S. B. Coleman	W. T. Lasley	L. M. Smith
W. P. Cropper	M. E. Lee	E. D. Smith
R. T. Crowe	Dr. J. E. Lilly	Claude B. Smith
H. C. Cummins	Dr. C. W. Mathers	John W. Snider
S. C. Dobbs	Jacob Metzger	Adam Spahn
Jas. R. Dorman	Harry J. Meyers	Robt. R. Treadway
Thomas A. Dover	Claude D. Minor	J. Wood Vance
W. E. Dowling	John T. Murphy	John S. Webb
William Duffy	B. F. McAtee	Louis E. Yewell
Odie Duncan	C. B. Nichols	E. G. Young
J. M. Elliston	S. Mazyck O'Brien	H. C. Duffy
W. G. Gooch	William A. Perry	
W. C. G. Hobbs	Geo. L. Pickett	—55

Those who voted in the negative were—

C. H. Bays	L. B. Hamilton	Harry P. Purnell
Chas. D. Bratcher	W. B. Harvey	John T. Roach
G. G. Brashear	David J. Howard	Thomas Spurrier
E. Bullock	J. M. Johnson	Ed. D. Stone
Henry A. Cannon	W. H. Jones	J. H. Thompson
A. S. Cooper	W. R. Lyon	W. M. Webb
L. L. Embrey	E. B. McGlone	Frank M. White
T. T. Gardner	W. J. McMurray	J. D. Wills
Wm. Gearheart	A. J. Oliver	M. O. Wilson
Frank C. Greene	A. B. Pieratt	E. S. Wood
		—30

And so said motion was agreed to.

Mr. Greene moved that the rules be suspended and that House Bill 158 be taken from the orders of the day and made the special order of the day on Thursday next at 11:05 o'clock a. m.

The yeas and nays being called for on said motion by Messrs. Duffy and Greene, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	A. B. Holland	L. M. Smith
Chas. D. Bratcher	R.B.Hutchcraft,Jr.	E. D. Smith
G. G. Brashear	J. M. Johnson	Thomas Spurrier
E. Bullock	T. R. Jones	Ed. D. Stone
Henry A. Cannon	W. H. Jones	R. C. Tartar
A. S. Cooper	H. Clay Kauffman	Robt. R. Treadway
R. T. Crowe	W. T. Lasley	J. Wood Vance
H. C. Cummins	W. R. Lyon	W. M. Webb
Thomas A. Dover	E. B. McGlone	Frank M. White
L. L. Embrey	C. B. Nichols	J. D. Wills
Wm. Gearheart	A. J. Oliver	M. O. Wilson
Frank C. Greene	A. B. Pieratt	E. S. Wood
L. B. Hamilton	Richard Radcliffe	E. G. Young
W. B. Harvey	John T. Roach	—41

Those who voted in the negative were—

Peter Ampler	Jas. R. Dorman	Chas. L. Hunter
Geo. B. Barrett	W. E. Dowling	Wm. J. Kuh
C. H. Bays	William Duffy	M. E. Lee
Frank J. Brown	Odie Duncan	Dr. J. E. Lilly
Glover H. Cary	J. M. Elliston	Dr. C. W. Mathers
R. A. Cook	T. T. Gardner	Jacob Metzger
S. B. Coleman	W. G. Gooch	Harry J. Meyers
W. P. Cropper	W. C. G. Hobbs	Claude D. Minor
S. C. Dobbs	David J. Howard	John T. Murphy

B. F. McAtee	W. A. Price	Claude B. Smith
W. J. McMurray	J. D. Pumphrey	John W. Snider
S. Mazyck O'Brien	D. S. Richardson	Adam Spahn
William A. Perry	Lewis Ryans	John S. Webb
Geo. L. Pickett	Joe Schneider	Louis E. Yewell

—42

And so said motion was disagreed to.

Mr. Crowe moved that the rules be suspended and that House Bill 135 be taken from the orders of the day and made the special order of the day on Tuesday, immediately after the conclusion of the fixed order of the day which is set for 11 o'clock a. m. on Tuesday, February 8, 1916.

The yeas and nays being called for upon said motion by Messrs. Crowe and Spahn, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. E. Dowling	W. T. Lasley
H. F. S. Bailey	William Duffy	M. E. Lee
Geo. B. Barrett	Odie Duncan	Dr. J. E. Lilly
C. H. Bays	J. M. Elliston	W. R. Lyon
Chas. D. Bratcher	L. L. Embrey	Dr. C. W. Mathers
G. G. Brashear	T. T. Gardner	Harry J. Meyers
Frank J. Brown	W. G. Gooch	Claude D. Minor
Henry A. Cannon	L. B. Hamilton	John T. Murphy
Glover H. Cary	W. C. G. Hobbs	B. F. McAtee
R. A. Cook	A. B. Holland	W. J. McMurray
A. S. Cooper	David J. Howard	C. B. Nichols
S. B. Coleman	Chas. L. Hunter	S. Mazyck O'Brien
W. P. Cropper	R.B.Hutchcraft,Jr.	A. J. Oliver
R. T. Crowe	J. M. Johnson	William A. Perry
H. C. Cummins	T. R. Jones	Geo. L. Pickett
S. C. Dobbs	W. H. Jones	A. B. Pieratt
Jas. R. Dorman	H. Clay Kauffman	W. A. Price
Thomas A. Dover	Wm. J. Kuh	J. D. Pumphrey

Harry P. Purnell	Claude B. Smith	John S. Webb	
Richard Radcliffe	John W. Snider	Frank M. White	
D. S. Richardson	Adam Spahn	J. D. Wills	
John T. Roach	Ed. D. Stone	M. O. Wilson	
Lewis Ryans	R. C. Tartar	E. S. Wood	
Joe Schneider	J. H. Thompson	E. G. Young	
L. M. Smith	Robt. R. Treadway		
E. D. Smith	J. Wood Vance		—76

Those who voted in the negative were—

Wm. Gearheart	E. B. McGlone	W. M. Webb	
Frank C. Greene	Jacob Metzger		—5

And so said motion was agreed to.

Upon a call of the committees to which the same had been referred the followng bills were reported, viz.:

H. B. 98. (Known as the Workmen's Compensation Act, which was the unfinished business of the session on Friday, February 4th.)

The further reading of said bill was resumed.

Mr. Pumphrey moved that this House do now adjourn.

The yeas and nays being called for on said motion to adjourn, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. P. Cropper	William Duffy
Geo. B. Barrett	R. T. Crowe	Odie Duncan
C. H. Bays	S. C. Dobbs	J. M. Elliston
Frank J. Brown	Jas. R. Dorman	W. G. Gooch
Glover H. Cary	Thomas A. Dover	W. C. G. Hobbs
R. A. Cook	W. E. Dowling	Chas. L. Hunter

R.B.Hutchcraft,Jr.	S. Mazyck O'Brien	Claude B. Smith
W. H. Jones	William A. Perry	John W. Snider
Wm. J. Kuh	Geo. L. Pickett	Adam Spahn
W. T. Lasley	W. A. Price	J. H. Thompson
Dr. J. E. Lilly	J. D. Pumphrey	J. Wood Vance
Jacob Metzger	Harry P. Purnell	John S. Webb
Harry J. Meyers	D. S. Richardson	Louis E. Yewell
Claude D. Minor	Lewis Ryans	E. G. Young
John T. Murphy	Joe Schneider	
B. F. McAtee	E. D. Smith	—46

Those who voted in the negative were—

H. F. S. Bailey	David J. Howard	L. M. Smith
G. G. Brashear	T. R. Jones	Thomas Spurrier
E. Bullock	H. Clay Kauffman	Ed. D. Stone
Henry A. Cannon	M. E. Lee	R. C. Tartar
A. S. Cooper	W. R. Lyon	Robt. R. Treadway
L. L. Embrey	Dr. C. W. Mathers	W. M. Webb
T. T. Gardner	W. J. McMurray	Frank M. White
Wm. Gearheart	C. B. Nichols	J. D. Wills
Frank C. Greene	A. B. Pieratt	M. O. Wilson
L. B. Hamilton	Richard Radcliffe	E. S. Wood
W. B. Harvey	John T. Roach	—32

And so said motion to adjourn was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 8, 1916.

The House was opened with prayer by the Rev. Benjamin Andres, Pastor of the Southern Presbyterian Church, of Frankfort, Kentucky.

The reading of the Journal of yesterday was dispensed with.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Neat:

H. B. 438. An act to repeal article 1, section 4325, chapter 110, Carroll's edition, Kentucky Statutes, 1915, relating to roads and passways, and enacting in lieu thereof the following combining the offices of county surveyor and county road engineer, and repealing all laws in conflict therewith.

To the Committee on Public Roads and Highways.

By Mr. T. R. Jones:

H. B. 439. An act to define and construe the term "Theory and Practice of Teaching" wherever it occurs in the common school laws of Kentucky.

To the Committee on Education.

By Mr. Roach:

H. B. 440. An act to amend section 4369 of article 1, chapter 113, Kentucky Statutes, Carroll's edition of 1915, relating to the holding of examinations for county diplomas.

To the Committee on Education.

By Mr. Spahn:

H. B. 441. An act to provide for the qualification and salary for justices of the peace in counties and cities having a population of two hundred thousand or more.

To the Committee on Municipalities.

By Mr. Hunter:

H. B. 442. An act amending section 2119 of Kentucky Statutes relating to action for divorce and the duties of county attorneys relative thereto and the fees allowed such attorneys for services in such actions.

To the Committee on Codes of Practice.

By Mr. Mathers (By Request):

H. B. 443. An act to amend sections 5, 6, 8, 9, 10, 19, 21 and 22 of chapter III. of the Acts of 1912, entitled "An act concerning tuberculosis and to provide for the creation of a commission to be known as the Kentucky Board of Tuberculosis Commissioners, to define its powers and to make an appropriation therefor, and to authorize and provide for the establishment of districts consisting of one or more than one county, and to authorize and provide in such district for the location, erection, organization and management of a district sanatorium for the care and treatment of tuberculosis, and authorizing county and district taxation for the purpose of making an appropriation for the purchase of necessary land and construction and equipment of necessary buildings and an annual appropriation for the maintenance of such sanatorium;" and to add to said act section 12a providing how taxes shall be levied for the erection, equipment and maintenance of tuberculosis sanatorium, and also adding section 25a, providing for counties joining an already established sanatorium district.

To the Committee on Tuberculosis.

By Mr. Cummins:

H. B. 444. An act to define as common carriers within this State persons, firms and corporations using certain self-propelled public conveyances and affording means of transportation similar to that carried on by other common carriers, but which conveyances do not operate upon fixed tracks but use the public highways; to declare the business of such common carriers a privilege, and requiring those who operate such common carriers to obtain a license so to do from the counties through which they are operated, and authorizing the county to fix the route, terms and conditions of such operation, and to limit such operation in the interest of public convenience and safety.

To the Committee on Public Utilities.

By Mr. Radcliffe:

H. B. 445. An act to require school teachers to take care of the public graded course of study and to deliver the same to the subdistrict trustee at the close of the school.

To the Committee on Education.

By Same:

H. B. 446. An act to amend section 4377 and 4379, article III., chapter 113, Kentucky Statutes, Carroll's edition, 1915.

To the Committee on Education.

By Mr. Pickett:

H. B. 447. An act to require all conveyances of real property to state therein the true consideration, and providing a penalty for a violation of the act.

To the Committee on Judiciary.

The unfinished business, viz.: The reading of House Bill 98 was again resumed.

Mr. Howard moved that a vote of the House be taken as to whether or not the Committee on Constitutional Amendments had held House Bill 35 an unreasonable length of time without reporting same.

Mr. Lyon moved that the special order of today be postponed until House Bill 35 can be given its first reading and placed in the calendar.

Said motion was agreed to.

Mr. Roach moved the previous question on Mr. Howard's motion.

The previous question was then ordered.

The yeas and nays being called for by Messrs. McMurray and W. M. Webb on said motion made by Mr. Howard, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	S. C. Dobbs	J. M. Johnson
C. H. Bays	Thomas A. Dover	T R. Jones
Chas. D. Bratcher	L. L. Embrey	W. H. Jones
G. G. Brashear	Wm. Gearheart	H. Clay Kauffman
W. H. Brown	Frank C. Greene	W. T. Lasley
E. Bullock	C. H. Grimes	W. R. Lyon
Henry A. Cannon	L. B. Hamilton	G. B. Moores
A. S. Cooper	W. B. Harvey	W. J. McMurray
S. B. Coleman	A. B. Holland	L. T. Neat
James S. Cruse	David J. Howard	C. B. Nichols
H. C. Cummins	R. B. Jackson	A. J. Oliver

A. B. Pieratt	Thomas Spurrier	Frank M. White
J. D. Pumphrey	Ed. D. Stone	J. D. Wills
Richard Radcliffe	R. C. Tartar	M. O. Wilson
John T. Roach	J. Wood Vance	E. S. Wood
L. M. Smith	J. W. Wall	E. G. Young
E. D. Smith	W. M. Webb	

—50

Those who voted in the negative were—

Peter Ampler	W. C. G. Hobbs	Geo. L. Pickett
Geo. B. Barrett	J. M. Howell	W. A. Price
Frank J. Brown	Chas. L. Hunter	Harry P. Purnell
Glover H. Cary	R.B.Hutchcraft,Jr.	D. S. Richardson
R. A. Cook	Wm. J. Kuh	Lewis Ryans
W. P. Cropper	M. E. Lee	Joe Schneider
R. T. Crowe	Dr. J. E. Lilly	Claude B. Smith
Jas. R. Dorman	Dr. C. W. Mathers	John W. Snider
W. E. Dowling	Jacob Metzger	Adam Spahn
William Duffy	Harry J. Meyers	J. H. Thompson
Odie Duncan	Claude D. Minor	Robt. R. Treadway
J. R. Durham	John T. Murphy	D. B. Tyra
J. M. Elliston	B. F. McAtee	John S. Webb
T. T. Gardner	S. Mazyck O'Brien	Louis E. Yewell
W. G. Gooch	William A. Perry	

—44

And so said motion made by Mr. Howard was agreed to.

Mr. Elliston, chairman of the Committee on Constitutional amendments, then reported a bill of the following title, viz.:

H. B. 35. An act to amend and re-enact section 61 of the Constitution of the Commonwealth of Kentucky.

Said bill having been read the first time at length the same was ordered to be placed in the calendar.

The hour for the special order of the day having arrived.

The House took up for consideration a bill entitled, viz.:

H. B. 147. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

Mr. Duncan moved that said House Bill 147, which was made the special order for this hour, be recommitted to the Committee on Education with leave to report at any time.

Said motion was agreed to.

The House took up for consideration, which is the special order of the day at this hour, a bill entitled, viz.:

H. B. 135. An act to amend an act entitled "An act to incorporate the Kentucky Confederate Home and provide for the maintenance thereof," approved March 27th, 1902; amended March 26th, 1904, March 21st, 1906, March 19th, 1910, and March 18th, 1912.

Said bill reads as follows:

Whereas, heretofore at the regular session of 1914, House Bill No. 440 was introduced, passed by the House and Senate unanimously, signed by the Speaker of the House, but the signature of the Lieutenant Governor was not attached to said bill, the same having been mislaid, and therefore it failed of enactment, and which bill provided that for a period of four years there should be a fixed appropriation of thirty-five hundred ($3,500.00) dollars monthly, to be in lieu for that period of one hundred and seventy-five dollars

($175.00) per capita, allowed for the support of the inmates of the Confederate Home. Now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. Whereas, heretofore the appropriations for the Kentucky Confederate Home have averaged the sum of $10,431.00 per quarter; and,

Whereas, the average age of the persons now inmates of the Kentucky Home is seventy-seven years and six months and increasing infirmities of the said inmates, who, in large numbers, are now in the infirmary, makes it necessary to have a fixed income, instead of a per capita, for the period above named.

Therefore, Be it enacted, that for a period of four years, commencing February 1, 1916, there is hereby appropriated for the maintenance and support of the Kentucky Confederate Home, the sum of three thousand five hundred ($3,500.00) dollars per month; and the Auditor of the State of Kentucky is hereby directed to draw his warrant on the Treasurer of the State of Kentucky, on the first of every month, in favor of the Treasurer of the Kentucky Confederate Home, for said sum of three thousand five hundred dollars ($3,500.00) and which is to be used and set apart for the clothing, feeding, maintenance, nursing, payment of physicians and surgeons of the inmates, and operation of said Confederate Home; and which is to be in lieu, for the period of four years, of the per capita of $175.00 heretofore provided for each inmate of the Kentucky Confederate Home. The accounts embracing the expenditure of said funds so appropriated are to be subject to the laws governing the operation of State institutions.

§ 2. Whereas, the necessity for the care of said invalid and infirm soldiers is urgent, an emergency is hereby declared to exist, and this enactment shall take effect from and after its approval by the Governor.

Mr. McMurray offered the following amendment to said bill, viz.:

Prepare the following amendment to House Bill No. 135:

Section 1, line 8, strike out the word "four" and insert in lieu thereof the word "two."

And in line 18 of same section strike out the word "four" and insert in lieu thereof the word "two."

Said amendment was agreed to.

Mr. Crowe moved the previous question.

Said motion was agreed to.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
Geo. B. Barrett
C. H. Bays
G. G. Brashear
W. H. Brown
E. Bullock
Glover H. Cary
R. A. Cook
A. S. Cooper
S. B. Coleman
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
G. B. Moores
John T. Murphy
B. F. McAtee
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—88

Resolved that the title thereof be as aforesaid.

Mr. Crowe moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Nichols moved that the rules be suspended that Senate Resolution 11 be taken from the calendar and adopted by this House.

Said motion to take up for consideration said Senate Resolution 11, was agreed to.

Said resolution reads as follows, viz.:

Whereas, there is now in the hands of the Committee on Appropriations numerous bills for the appropriation of money to the various charitable institutions of the State; and,

Whereas, the Board of Control have been sued and are now threatened with indictment by the grand jury for the pollution of streams from the sewerage system at the Central Hospital for the Insane; and,

Whereas, the grand jury of Fayette county has threatened to indict said board for the unsanitary and crowded conditions of the negro ward at the Eastern Hospital for the Insane;

Now, therefore, be it resolved, by the Senate and House of Representatives that the Committee on Appropriations from the Senate and House of Representatives be, and they are hereby instructed to visit the charitable institutions of the State that have asked for appropriations, to make such investigations and inquiry as will enable them to determine what amount or amounts, if any, this General Assembly should appropriate to the different institutions.

Mr. Radcliffe moved to lay said resolution on the table.

Said motion was agreed to.

Mr. Murphy of the Committee on Enrollments reported that they had examined and found correctly enrolled a bill of the following title, viz.:

S. B. 17. An act to make it unlawful for any common carrier of passengers in this State to issue or give, and for any person to accept and use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file verified statements of free passes or free transportations issued, in the office of the Attorney General and prescribing penalties for violations of its provisions.

Whereupon all other business was suspended, said bill was read at length, and compared in open house, and was found to be correctly enrolled. Thereupon, the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered that the enrolling clerk deliver the original and enrolled bill which originated in the Senate to the Senate.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 20. An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners and to provide penalties for violating the provisions thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Governor shall appoint a board of examiners within thirty days after the passage of this act, to be known

as the State Board of Veterinary Examiners, said board to consist of the Commissioner of Agriculture, Labor and Statistics, who shall be chairman, and four members, who shall be persons of recognized professional ability and honor in the veterinary profession in this State, and graduates of a school of veterinary medicine, surgery or dentistry recognized by the American Veterinary Medical Association, and who shall have practiced veterinary medicine, surgery or dentistry for at least five years immediately preceding such appointment. The term of office of the members shall begin on the first Monday of July in the year 1916, and they shall hold office as follows: One for one year, one for two years, one for three years and one for four years, or until their successors are appointed. The Governor shall appoint annually thereafter, before the first day of June, beginning with the year 1917, one veterinarian qualified as aforesaid, who shall hold office for four years from the first day of July next ensuing, and the Governor shall fill any vacancies that may occur. Any member of said board may be removed from office for cause by the Governor. Each member of the board shall receive five dollars per day for each day of service actually given in carrying out his duties under this act, in addition to his necessary traveling and contingent expenses incurred in attending the meetings of the board; but, if revenue received from licenses does not pay all expenses, this board shall serve without compensation.

§ 2. The members of the board shall hold their first meeting on the first Monday in July, 1916, or as soon thereafter as possible at such hour and place as they shall determine, and they shall immediately proceed to organize by electing a president, secretary and treasurer, the last two offices, namely, secretary and treasurer, to be held by one person if desirable. Said officers shall hold their respective offices until the expiration of the term for which they were appointed upon the board, and at that time the board shall

hold a meeting for electing a successor. Said board shall hold a regular meeting for giving examinations under this act on the last Monday in August of each year commencing August, 1916, and such additional meetings for examinations as they may deem necessary. All meetings shall be held at such time and place as the board may see fit, and it shall give due notice thereof at such time and in such manner as it may determine. Said board shall have a common seal, and its president be empowered to issue subpoenas and administer oaths in any matter pertaining to its duties; it shall make and adopt all necessary rules, regulations and by-laws not inconsistent with the laws of this State or of the United States, necessary to carry out the provisions of this act.

§ 3. Said board shall notify all persons practicing veterinary medicine, surgery or dentistry in this Commonwealth of the provisions of this act by publishing the same in one or more newspapers in this Commonwealth, and every person who is a graduate of a school of veterinary medicine, surgery or dentistry recognized by said board, and also every person who has been a practitioner of veterinary medicine, surgery or dentistry in this Commonwealth for a period of three years next prior to the passage of this act, shall, upon the payment of a fee of ten dollars, be entitled to a license, and said board shall issue to him a certificate thereof signed by its president and secretary and attested by its seal, which certificate he shall have registered, as provided for in section 7. Registration under the provisions of this section shall cease on the first day of January in the year 1917. All applications for license under this act shall be made upon blanks furnished by the board, and shall be signed and sworn to by the applicant.

§ 4. Any person not entitled to a certificate of license as aforesaid in section 3, or any person who shall hereafter wish to practice veterinary medicine, surgery or dentistry in

this State, if he gives satisfactory evidence to the board that he is a graduate of some reputable school of veterinary medicine, surgery or dentistry, and that he is twenty-one years of age, shall, upon payment of a fee of ten dollars and satisfactory proof of good moral character, be entitled to practice veterinary medicine, surgery or dentistry, upon presenting his diploma, which must be one recognized by the Department of Agriculture of the United States, and paying the license fee of ten dollars, or shall be entitled to an examination as hereinafter provided for. If such person passes said examination satisfactorily he shall be entitled to a license and the board shall issue to him a certificate of license signed by its president and secretary, and attested by its seal. Any person who fails to pass a satisfactory examination and is therefore refused a certificate of license, may be re-examined at any meeting of the board within two years of the time of such refusal without additional fee, and thereafter may be examined at any meeting upon the payment of a fee of five dollars for such examination.

§ 5. Examination hereinabove provided for shall be held by the board upon the following subjects: Anatomy, surgery, dentistry, physiology, obstetrics, pathology, bacteriology, diagnosis and practice, therapeutics and materia medica, hygiene, meat and milk inspection. These examinations shall be conducted in writing and in such manner that the results shall be entirely fair and impartial, the applicants being known by numbers so that no member of the board shall be able to identify the papers of any applicant until they have been graded and the case passed upon, and all questions and answers with the grade attached shall be preserved for one year. All applicants examined at any one time shall have the same questions asked them, and shall be required to make an average grade of 60 with a minimum of 50 in any one branch. No member of the board shall be a stockholder or member of the faculty or board of trustees

of any veterinary college of medicine, surgery or dentistry, leading to degree in same.

§ 6. The board shall keep a record of their proceedings in a book provided for that purpose, which book shall be open for inspection, and shall record the name of each applicant, the time of granting a certificate of license, the names of the members of the board present, and where a certificate of license is denied by the board to any applicant under authority of this act, the fact and ground of such denial shall be entered in the minutes of the board and shall be communicated in writing to such applicant.

§ 7. Every person receiving a certificate of license from the board shall forthwith have it recorded in the office of the county clerk of the county in which he makes his residence, and the date of such recording shall be endorsed thereon; and said certificate of license when so recorded shall not be collaterally questioned in any legal proceedings. Until the certificate of license is recorded, the holder shall not exercise any of the rights or privileges therein conferred; and in case said certificate is not recorded within three months from the date of its issuance it shall become invalid, but the two provisions of this sentence shall not apply to those receiving certificates under section 3. The clerk shall be paid fifty cents for recording each certificate and making the report thereof, provided for in section 8. Any registered veterinarian moving his residence from one county in this State to another in order to practice veterinary medicine, surgery or dentistry, shall in like manner record the certificate of license in the county to which he removes, and the holder of the certificate shall pay to the county clerk the usual fee for so doing. Practitioners who have registered in the county in which they reside may go from this county to another on professional business without being required to register.

§ 8. The county court clerk of each county shall keep in a book provided for that purpose a complete list of the certificates of license recorded by him, together with the date of each and the date of recording. If the certificate of license was issued after examination and not under section 3, the said county clerk shall further record the name of the veterinary college which conferred the diploma on which the certificate is based, and the date when conferred; and in any case the clerk shall hereafter, beginning with the last Monday in August, 1916, and regularly at the expiration of every six months thereafter, report to the secretary of said board a list of all who have registered, for which service the original recording fee shall be adequate compensation.

§ 9. The fees received for examination and issuing certificates of license shall be paid yearly by the board to the Commissioner of Agriculture, Labor and Statistics, to be used for the benefit of the agricultural interests of the State, after deducting the following items:

1. The fees and personal expenses of the board, mentioned in section 1.

2. The actual expenses of the board incident to providing a meeting place, stationery, etc., issuing certificates, keeping records and otherwise fulfilling the duties imposed by this act.

3. The additional sum of one hundred dollars to be held by said board as a sinking fund to meet any deficiency that may arise the ensuing year; provided, however, that if at the end of any year there is a balance in said sinking fund, only so much should be held back for such fund as shall increase said balance to one hundred dollars.

Subsection 4. The secretary of said board shall render

an annual statement of said expenses, with vouchers attached, to the Commissioner of Agriculture, Labor and Statistics, who shall have the power to have the books of same examined at any time.

§ 10. It shall be unlawful after the first day of January, 1917, for any person to practice veterinary medicine, surgery or dentistry or any branch thereof in this Commonwealth if he does not hold a certificate or license issued by said board and registered as required herein.

§ 11. Any person not licensed and registered as provided for in this act, who shall practice veterinary medicine, surgery, or dentistry or any branch thereof in this Commonwealth, shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars or by imprisonment not exceeding two months, or by both such fine and imprisonment.

§ 12. The grand jury in each county in this State shall be given inquisitorial power over all offenses against, or violations of, this act, and it shall be the duty of the board or any member thereof to report any violations of this act to the proper authorities.

§ 13. The board may refuse to issue the certificate provided for in this act for any of the following causes:

1. The presentation to the board of any license, certificate or diploma which was illegally or fraudulently obtained or the practice of fraud or deception in passing examination.

2. Habitual drunkenness.

3. Or other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public.

The board may suspend or revoke a certificate for any of the causes for which it may refuse to grant the license under the provisions of this act.

In all proceedings for suspension or revocation under this act, the holder of the certificate shall be furnished with a copy of the complaint and shall be given at least thirty days thereafter to prepare for hearing; he shall be heard in person, or by counsel, or both, as he may elect, and in such hearing and in all matters arising in the course of their duties, the president and secretary shall have the authority to administer oaths, and in such hearing the board may take oral or written proof for and against the holder of the certificate, as it may deem will best present the facts. In all cases of refusal, suspension or revocation, the applicant or holder may appeal to the Governor, who may affirm or overrule the decision of the board. Upon the suspension or revocation of any certificate it shall be the duty of the board to give official notice of such action under seal to the county clerk of the county in which the holder is registered, and such name shall be marked as suspended for the period indicated, or stricken from the register in accordance with such notice, and if such holder shall continue the practice he shall thereupon be subject to the penalties provided for in this law.

§ 14. Any person shall be regarded as practicing veterinary medicine, surgery or dentistry within the meaning of this act who professes publicly to be a doctor of veterinary medicine, surgeon or dentist, respectively, or who appends to his name any initials or title implying qualifications to practice or who shall treat, operate on or prescribe for any physical ailment, or any physical injury to, or deformity of, any domestic animal, for which he shall receive any compensation, either directly or indirectly. Nothing in this act shall apply to persons gratuitously treating animals in cases of

emergency; providing they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice thereof. And nothing in this act shall interfere with or prevent persons in rural districts, or small towns, where the services of a registered veterinarian are not obtainable, from treating, operating upon or prescribing for domestic animals and charging for same, but said last named persons shall not be allowed to thus treat, operate upon or prescribe for any domestic animal until they have first obtained the written consent of said Board of Veterinary Medical Examiners, and said board shall keep a record of those to whom they give such consent.

§ 15. It is further provided that nothing in this act shall prevent or interfere with students practicing under preceptors from the end of one college session to the beginning of the college session next following.

§ 16. Nothing in this act shall be construed to interfere with or punish non-graduate veterinarians as provided for in section 3, or veterinarians in the United States army or in the United States Bureau of Animal Industry or State Live Stock Commissioner or his assistants or deputies while so commissioned, or any lawfully qualified veterinarian residing in other States or counties meeting registered veterinarians of this State in consultation, or any veterinarian residing in the border of a neighboring State, and duly authorized under the laws thereof to practice veterinary medicine, surgery or dentistry therein, whose practice extends into the limits of this State; provided that such practitioner shall not open any office or appoint a place to meet patients within the limits of Kentucky.

§ 17. This act shall take effect and be in force in accordance with the provisions of the Constitution, and all

acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Mr. Lee offered the following amendment to said bill, viz.:

Amend section 14 by inserting a period after the word "same" in line 15 and striking out the rest of that section.

Said amendment was agreed to.

Mr. Kauffman offered the following amendment to said bill, viz.:

Amend said bill by striking out the following language in section one and beginning in line 6 with the word "and" just after the word "State," and said language so struck out is as follows: "and graduates of a school of veterinary medicine, surgery or dentistry recognized by the American Veterinary Medical Association," and also strike out the word "three" in line 7 of section 3 and insert in lieu thereof the word "one." Amend same by striking out of the bill the words "ten dollars" wherever same appears in said bill and inserting in lieu thereof "seven dollars."

Said amendment was agreed to.

Mr. Hutchcraft offered the following amendment to said bill, viz.:

Amend House Bill 20 by inserting after section 16, the following new section: "Any veterinarian licensed under the provisions of this act shall be eligible for the office of county live stock inspector," and by changing the number of the last section from 17 to 18.

Said amendment was agreed to.

Mr. Coleman moved to lay House Bill 20 and all pending amendments thereto on the table.

The yeas and nays being called for on said motion to table, by Messrs. Vance and Kauffman, were as follows, viz.:

Those who voted in the affirmative were—

Chas. D. Bratcher	Wm. Gearheart	Claude B. Smith
G. G. Brashear	C. H. Grimes	Ed. D. Stone
E. Bullock	A. B. Holland	R. C. Tartar
Henry A. Cannon	R. B. Jackson	W. M. Webb
S. B. Coleman	W. H. Jones	Frank M. White
W. E. Dowling	Jacob Metzger	J. D. Wills
Odie Duncan	G. B. Moores	
L. L. Embrey	L. T. Neat	—22

Those who voted in the negative were—

Peter Ampler	Frank C. Greene	C. B. Nichols
H. F. S. Bailey	L. B. Hamilton	S. Mazyck O'Brien
Geo. B. Barrett	W. C. G. Hobbs	William A. Perry
Frank J. Brown	David J. Howard	Geo. L. Pickett
W. H. Brown	Chas. L. Hunter	A. B. Pieratt
R. A. Cook	R.B.Hutchcraft,Jr.	W. A. Price
A. S. Cooper	J. M. Johnson	J. D. Pumphrey
R. T. Crowe	T. R. Jones	Harry P. Purnell
James S. Cruse	H. Clay Kauffman	Richard Radcliffe
H. C. Cummins	Wm. J. Kuh	D. S. Richardson
S. C. Dobbs	W. T. Lasley	John T. Roach
Jas. R. Dorman	M. E. Lee	Joe Schneider
Thomas A. Dover	Dr. J. E. Lilly	L. M. Smith
William Duffy	W. R. Lyon	E. D. Smith
J. R. Durham	Dr. C. W. Mathers	John W. Snider
J. M. Elliston	Harry J. Meyers	Adam Spahn
T. T. Gardner	Claude D. Minor	Thomas Spurrier
W. G. Gooch	W. J. McMurray	J. H. Thompson

Robt. R. Treadway	J. W. Wall	E. S. Wood
D. B. Tyra	John S. Webb	Louis E. Yewell
J. Wood Vance	M. O. Wilson	E. G. Young

—63

And so said motion to table was disagreed to.

The hour of adjournment, viz.: 1:30 p. m., having arrived, the House then adjourned until tomorrow morning at 10 o'clock a. m.

WEDNESDAY, FEBRUARY 9, 1916.

The House was opened with prayer by the Rev. Benjamine Andres, Pastor of the Southern Presbyterian Church, of Frankfort, Kentucky.

The reading of the Journal of yesterday was dispensed with.

Mr. Radcliffe moved that the session of today be extended until the special order of the day, set for 11 o'clock, be disposed of.

Said motion was agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Pumphrey:

H. B. 448. An act to repeal and re-enact section 66 of article 3, chapter 5, of Carroll's Kentucky Statutes.

To the Committee on Agriculture.

By Mr. Hamilton:

H. B. 449. An act permitting students of the Kentucky Normal and Industrial Institute for Colored Persons to take examination for county certificates.

To the Committee on Education.

By Same:

H. B. 450. An act authorizing the Commissioners of the Sinking Fund of Kentucky to sell and convey to the Frankfort Water Company, of Frankfort, Kentucky, two small parcels of land in Franklin county, Kentucky, lying below the brow of the hill on the west side of the Frankfort and Lawrenceburg turnpike road, on each side of and adjoining the pumping station property of said company near the city of Frankfort, and to fix the price to be paid therefor and the time of making, and the terms upon which said sale shall be made.

To the Committee on State Capitol.

By Mr. Perry:

H. B. 451. An act creating and relating to the office of county road engineer in counties containing more than two hundred thousand population, and providing for his term of office, qualification, assistants and compensation, and repealing all laws in conflict herewith.

To the Committee on Municipalities.

By Mr. Tyra:

H. B. 452. An act to amend and re-enact section 247 of the Constitution relating to printing and binding.

To the Committee on Constitutional Amendments.

By Mr. Treadway:

H. B. 453. An act for the benefit of West Kentucky Industrial College; course of study approved by Superintendent of Public Instruction; certificates honored by common school officials.

To the Committee on Appropriations.

By Mr. Lilly:

H. B. 454. An act amending chapter 85, article 1, section 2625 of Kentucky Statutes, Carrell's edition, 1915, relating to pharmacy.

To the Committee on Public Health.

By Mr. Lasley:

H. B. 455. An act to provide for the payment of the cost of fiduciary bonds, and permitting payment therefor out of the estate in the hands of such fiduciary.

To the Committee on Judiciary.

By Same:

H. B. 456. An act to amend and re-enact subsection 2 of section 98 of the Kentucky Statutes, edition 1915, relating to attorneys at law.

To the Committee on Codes of Practice.

Mr. Howard presented a petition signed by sundry citizens of Woodford county, urging the General Assembly of

the Commonwealth of Kentucky to enact House Bills Nos. 5 and 6, and Senate Bills Nos. 71 and 72, looking to the further closing of saloons on the Sabbath Day in the cities of Covington and Newport.

Said petition was received, read and referred to the Committee on Alcoholic Liquor Traffic.

The Hon. Thurman B. Dixon, by the unanimous consent of the House, was granted the privilege of the floor of the House today.

Mr. Johnson moved that a vote of the House be taken as to whether or not the Committee on Fish and Game had held House Bill 138 an unreasonable length of time without reporting same.

The yeas and nays being called for by Messrs. Johnson and Stone, on said motion made by Mr. Johnson, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	C. H. Grimes	A. J. Oliver
C. H. Bays	J. S. Hall	Harry P. Purnell
Chas. D. Bratcher	L. B. Hamilton	Richard Radcliffe
Frank J. Brown	W. B. Harvey	John T. Roach
W. H. Brown	A. B. Holland	Thomas Spurrier
E. Bullock	David J. Howard	Ed. D. Stone
R. A. Cook	Chas. L. Hunter	R. C. Tartar
A. S. Cooper	R. B. Jackson	J. H. Thompson
James S. Cruse	J. M. Johnson	Robt. R. Treadway
S. C. Dobbs	T. R. Jones	J. W. Wall
Thomas A. Dover	W. H. Jones	John S. Webb
L. L. Embrey	W. R. Lyon	W. M. Webb
T. T. Gardner	G. B. Moores	Frank M. White
Wm. Gearheart	E. B. McGlone	J. D. Wills
W. G. Gooch	W. J. McMurray	M. O. Wilson
Frank C. Greene	L. T. Neat	—47

Those who voted in the negative were—

Peter Ampler	Wm. J. Kuh	J. D. Pumphrey
Geo. B. Barrett	W. T. Lasley	D. S. Richardson
G. G. Brashear	Dr. J. E. Lilly	Joe Schneider
Henry A. Cannon	Dr. C. W. Mathers	L. M. Smith
Glover H. Cary	Jacob Metzger	E. D. Smith
S. B. Coleman	Harry J. Meyers	Claude B. Smith
R. T. Crowe	Claude D. Minor	John W. Snider
H. C. Cummins	John T. Murphy	D. B. Tyra
W. E. Dowling	B. F. McAtee	J. Wood Vance
William Duffy	S. Mazyck O'Brien	E. S. Wood
J. M. Elliston	William A. Perry	Louis E. Yewell
W. C. G. Hobbs	Geo. L. Pickett	E. G. Young
J. M. Howell	A. B. Pieratt	
R.B.Hutchcraft,Jr.	W. A. Price	—40

And so said motion made by Mr. Johnson was agreed to.

Mr. Joe Schneider, Chairman of the Committee on Fish and Game, then reported a bill of the following title, viz.:

H. B. 138. An act to allow the use of hoopnets in the navigable rivers of Kentucky.

Said bill having been read the first time at length, the same was ordered to be placed in the calendar.

Mr. Treadway moved that a vote of the House be taken as to whether or not the Committee on Corporate Institutions had held House Bill 65 an unreasonable length of time without reporting same.

The yeas and nays being called for by Messrs. Treadway and W. M. Webb, on said motion made by Mr. Treadway, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	C. H. Grimes	A. J. Oliver
H. F. S. Bailey	J. S. Hall	William A. Perry
Geo. B. Barrett	L. B. Hamilton	W. A. Price
C. H. Bays	A. B. Holland	Harry P. Purnell
Chas. D. Bratcher	David J. Howard	John T. Roach
G. G. Brashear	R.B.Hutchcraft,Jr.	E. D. Smith
Frank J. Brown	R. B. Jackson	Claude B. Smith
W. H. Brown	J. M. Johnson	Thomas Spurrier
E. Bullock	W. H. Jones	Ed. D. Stone
Henry A. Cannon	W. R. Lyon	R. C. Tartar
R. A. Cook	Dr. C. W. Mathers	J. H. Thompson
A. S. Cooper	Jacob Metzger	Robt. R. Treadway
R. T. Crowe	Harry J. Meyers	J. Wood Vance
James S. Cruse	G. B. Moores	J. W. Wall
H. C. Cummins	John T. Murphy	W. M. Webb
Thomas A. Dover	B. F. McAtee	Frank M. White
L. L. Embrey	F. B. McGlone	J. D. Wills
T. T. Gardner	W. J. McMurray	M. O. Wilson
Wm. Gearheart	L. T. Neat	E. S. Wood
Frank C. Greene	C. B. Nichols	E. G. Young

—60

Those who voted in the negative were—

Glover H. Cary	Chas. L. Hunter	J. D. Pumphrey
S. B. Coleman	H. Clay Kauffman	D. S. Richardson
W. E. Dowling	Wm. J. Kuh	Joe Schneider
William Duffy	W. T. Lasley	John W. Snider
J. R. Durham	M. E. Lee	Adam Spahn
J. M. Elliston	Dr. J. E. Lilly	D. B. Tyra
W. G. Gooch	Claude D. Minor	John S. Webb
W. B. Harvey	S. Mazyck O'Brien	Louis E. Yewell
W. C. G. Hobbs	Geo. L. Pickett	
J. M. Howell	A. B. Pieratt	

—28

And so said motion made by Mr. Treadway was agreed to.

Mr. Murphy moved that the special order of the day be postponed until House Bill 65 be given its first reading and placed in the calendar.

Said motion was agreed to.

Mr. Lasley, Chairman of the Committee on Corporate Institutions, then reported a bill of the following title, viz.:

H. B. 65. An act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

Said bill having been read the first time at length, the same was ordered to be placed in the calendar.

The hour for the special order of the day having arrived, the House took up for consideration a bill entitled, viz.:

H. B. 5. An act relating to the sale of intoxicating liquors and the suppression of places where such liquors are sold or used or kept for sale or use contrary to law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All places where intoxicating liquors are manufactured, sold, bartered or given away in violation of law, or where persons are permitted to resort for the purpose of drinking intoxicating liquors, as a beverage, or where intoxicating liquors are kept for sale, barter or delivery in violation of law, or where such place is kept open on prohibited days, all intoxicating liquors, bottles, glasses, kegs, pumps, bars and other property kept in and used in main-

taining such a place are hereby declared to be common nuisances; and every person who maintains or assists in maintaining such common nuisance shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred ($100.00) dollars and imprisoned in the county jail not less than thirty days nor more than six months for each offense.

§ 2. The Attorney General, Commonwealth's Attorney or the County Attorney of the county where any common nuisance as is defined in section 1 hereof exists, or is kept, or is maintained, shall upon the presentation of the affidavit of three credible citizens that such nuisance exists institute an action in the name of the Commonwealth of Kentucky to abate and perpetually enjoin the said common nuisance. The injunction shall be granted at the commencement of the action and no bond shall be required. A court of equity shall have jurisdiction to try and hear such action. Any individual, company, corporation, partnership or association violating the terms of any injunction granted shall be punished for contempt as is now or may hereafter be provided by law, and a change of venue for the trial of such contempt charge, may be had by the Commonwealth of Kentucky or the person charged as is now provided by law.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Meyers offered the following amendment to said bill, viz.:

Amend House Bill 5 by adding after the word "citizen," in line 4 of section 2 of the printed bill, the words "residing in the magisterial district in which the nuisance exists."

Said amendment was agreed to.

Mr. Murphy offered the following amendment to said bill, viz.:

Amend House Bill No. 5 so title will read as follows, viz.:

An act relating to the suppression of places which are operated contrary to and in violation of law.

The yeas and nays being called for by Messrs. Murphy and Meyers on said motion, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Dr. J. E. Lilly	W. A. Price
Frank J. Brown	Jacob Metzger	Lewis Ryans
W. E. Dowling	Harry J. Meyers	Joe Schneider
William Duffy	John T. Murphy	Claude B. Smith
Odie Duncan	B. F. McAtee	Adam Spahn
J. M. Elliston	S. Mazyck O'Brien	John S. Webb
Chas. L. Hunter	William A. Perry	
Wm. J. Kuh	Geo. L. Pickett	—22

Those who voted in the negative were—

H. F. S. Bailey	Jas. R. Dorman	A. B. Holland
C. H. Bays	Thomas A. Dover	David J. Howard
Chas. D. Bratcher	J. R. Durham	J. M. Howell
G. G. Brashear	L. L. Embrey	R.B.Hutchcraft,Jr.
W. H. Brown	T. T. Gardner	R. B. Jackson
E. Bullock	Wm. Gearheart	J. M. Johnson
Henry A. Cannon	W. G. Gooch	T. R. Jones
A. S. Cooper	Frank C. Greene	W. H. Jones
S. B. Coleman	C. H. Grimes	H. Clay Kauffman
R. T. Crowe	J. S. Hall	W. T. Lasley
James S. Cruse	L. B. Hamilton	M. E. Lee
H. C. Cummins	W. B. Harvey	W. R. Lyon
S. C. Dobbs	W. C. G. Hobbs	Dr. C. W. Mathers

Claude D. Minor	Richard Radcliffe	J. Wood Vance
G. B. Moores	D. S. Richardson	J. W. Wall
E. B. McGlone	John T. Roach	W. M. Webb
W. J. McMurray	L. M. Smith	Frank M. White
L. T. Neat	E. D. Smith	J. D. Wills
C. B. Nichols	John W. Snider	M. O. Wilson
A. J. Oliver	Thomas Spurrier	E. S. Wood
A. B. Pieratt	Ed. D. Stone	Louis E. Yewell
J. D. Pumphrey	R. C. Tartar	E. G. Young
Harry P. Purnell	J. H. Thompson	—68

And so said amendment was disagreed to.

Mr. Murphy offered the following amendment to said bill, viz.:

Amend section 1, House Bill 5, by inserting in line seven (7) after the word place and before the word *are* (the following) to-wit: or any other place where there is an open violation of law, which can be located at a particular place known as a habitat for such violations of law.

Said amendment was disagreed to.

Mr. Kauffman offered the following amendment to said bill, viz.:

Amend said bill by striking out the following language in section 2 and line 8 of said section: "and no bond shall be required."

The yeas and nays being called for on said amendment by Messrs. Greene and Duffy, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank J. Brown	S. C. Dobbs
Geo. B. Barrett	R. A. Cook	W. E. Dowling

William Duffy	Dr. C. W. Mathers	Lewis Ryans
Odie Duncan	Jacob Metzger	Joe Schneider
J. R. Durham	Harry J. Meyers	Claude B. Smith
J. M. Elliston	John T. Murphy	John W. Snider
W. G. Gooch	B. F. McAtee	Adam Spahn
Chas. L. Hunter	S. Mazyck O'Brien	Robt. R. Treadway
R.B.Hutchcraft,Jr.	William A. Perry	D. B. Tyra
H. Clay Kauffman	Geo. L. Pickett	John S. Webb
Wm. J. Kuh	W. A. Price	Louis E. Yewell
Dr. J. E. Lilly	D. S. Richardson	—35

Those who voted in the negative were—

H. F. S. Bailey	L. B. Hamilton	J. D. Pumphrey
C. H. Bays	W. B. Harvey	Harry P. Purnell
Chas. D. Bratcher	A. B. Holland	Richard Radcliffe
G. G. Brashear	David J. Howard	John T. Roach
W. H. Brown	J. M. Howell	L. M. Smith
E. Bullock	R. B. Jackson	E. D. Smith
Henry A. Cannon	J. M. Johnson	Thomas Spurrier
Glover H. Cary	T. R. Jones	Ed. D. Stone
A. S. Cooper	W. H. Jones	R. C. Tartar
S. B. Coleman	W. T. Lasley	J. H. Thompson
R. T. Crowe	M. E. Lee	J. Wood Vance
James S. Cruse	W. R. Lyon	J. W. Wall
H. C. Cummins	Claude D. Minor	W. M. Webb
Thomas A. Dover	G. B. Moores	Frank M. White
L. L. Embrey	E. B. McGlone	J. D. Wills
T. T. Gardner	W. J. McMurray	M. O. Wilson
Wm. Gearheart	L. T. Neat	E. S. Wood
Frank C. Greene	C. B. Nichols	E. G. Young
C. H. Grimes	A. J. Oliver	
J. S. Hall	A. B. Pieratt	—58

And so said amendment was disagreed to.

Mr. Greene moved the previous question on said bill and all pending amendments.

Said motion was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	Frank C. Greene	E. B. McGlone
C. H. Bays	C. H. Grimes	W. J. McMurray
Chas. D. Bratcher	J. S. Hall	L. T. Neat
G. G. Brashear	L. B. Hamilton	C. B. Nichols
Frank J. Brown	W. B. Harvey	A. J. Oliver
W. H. Brown	W. C. G. Hobbs	Geo. L. Pickett
E. Bullock	A. B. Holland	A. B. Pieratt
Henry A. Cannon	David J. Howard	J. D. Pumphrey
Glover H. Cary	J. M. Howell	Harry P. Purnell
S. B. Coleman	Chas. L. Hunter	Richard Radcliffe
A. S. Cooper	R.B.Hutchcraft,Jr.	D. S. Richardson
R. T. Crowe	R. B. Jackson	John T. Roach
James S. Cruse	J. M. Johnson	L. M. Smith
H. C. Cummins	T. R. Jones	E. D. Smith
S. C. Dobbs	W. H. Jones	Claude B. Smith
Jas. R. Dorman	H. Clay Kauffman	John W. Snider
Thomas A. Dover	W. T. Lasley	Thomas Spurrier
J. R. Durham	M. E. Lee	Ed. D. Stone
J. M. Elliston	Dr. J. E. Lilly	R. C. Tartar
L. L. Embrey	W. R. Lyon	D. B. Tyra
T. T. Gardner	Dr. C. W. Mathers	J. Wood Vance
Wm. Gearheart	Claude D. Minor	J. W. Wall
W. G. Gooch	G. B. Moores	John S. Webb

W. M. Webb	M. O. Wilson	E. G. Young
Frank M. White	E. S. Wood	
J. D. Wills	Louis E. Yewell	—76

Those who voted in the negative were—

Peter Ampler	Wm. J. Kuh	S. Mazyck O'Brien
Geo. B. Barrett	Jacob Metzger	W. A. Price
W. E. Dowling	Harry J. Meyers	Joe Schneider
William Duffy	John T. Murphy	Adam Spahn
Odie Duncan	B. F. McAtee	—14

Resolved that the title thereof be as aforesaid.

Mr. Greene moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Wise, ex-member of the Virginia Legislature, was granted the privilege of the floor of the House today.

Mr. Greene moved that the standing orders of the day be postponed until such time as the special order of the day set for this hour is disposed of.

Said motion was agreed to.

The House then took up for consideration the next special order of the day a bill entitled:

H. B. 6. An act to provide for the forfeiture of license to sell intoxicating liquors and giving jurisdiction to hear such proceeding to the Judge of the Franklin Circuit Court, at Frankfort, Ky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any license heretofore or hereafter granted to any individual, firm, partnership, corporation or association in this State to sell spirituous, vinous or malt liquors, or other intoxicating liquors by any authority in this State, shall forfeit same for the violation of any law of this State regulating the sale of intoxicating liquors and gaming, and when a forfeiture of such license is adjudged, the individual, partnership, corporation or association against whom such forfeiture of license is adjudged, shall not be granted another license to sell spirituous, vinous or malt or any intoxicating liquors, in this State. And no member of such partnership, corporation or association shall be granted such license.

§ 2. If any place owned and operated by any individual, firm, partnership, corporation or association has been adjudged to be a common nuisance, or is a common nuisance, the license granted to such individual, firm, partnership, corporation or association to sell spirituous, vinous or malt liquors or any intoxicating liquors, shall be forfeited and cancelled.

§ 3. For the purpose of trial on forfeiture of any license to sell spirituous, vinous or malt liquors or any intoxicating liquors, exclusive jurisdiction to hear and pass upon same is hereby conferred upon the judge of the Franklin Circuit Court, at Frankfort, Ky., and all such trials shall take place before said judge.

§ 4. Any individual, firm, partnership, corporation or association who shall violate the laws as herein set forth shall forfeit such license; and when the Attorney General of Kentucky, the Commonwealth's Attorney or the County Attorneys of various counties shall have reasonable grounds to

believe either upon his own knowledge or from the oath and affidavit of two credible witnesses of such violations herein referred to he shall notify the alleged offender to appear before the judge of the Franklin Circuit Court at Frankfort, Kentucky, at the next term of said court, commencing not later than ten days after the service of said notice, to show cause why said license should not be cancelled. It shall not be necessary to such forfeiture that a conviction shall have been had on any charge. On the trial of the cause, the judge shall enter an order canceling the license or acquit the defendant as the proof may authorize. Either party shall have a right of appeal to the Court of Appeals from such order.

§ 5. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Murphy offered the following amendment to said bill, viz.:

Amend House Bill 6 as follows: Strike out the words "Franklin Circuit Court" wherever same appears and insert "Carroll Circuit Court."

Said amendment was disagreed to.

Mr. Price offered the following amendment to said bill, viz.:

Amend House Bill 6 as follows:

(1) Strike out all of section 3.

(2) Strike out the words "Franklin Circuit Court at Frankfort, Ky.," wherever the same appear in said bill.

(3) Strike out the words "Judge of the" in line 4, section 3.

(4) Strike out the word "Judge" in line 5, section 3.

The yeas and nays being called for by Messrs. Greene and Price on said amendment, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Chas. L. Hunter	William A. Perry
Geo. B. Barrett	R.B.Hutchcraft,Jr.	Geo. L. Pickett
Frank J. Brown	H. Clay Kauffman	W. A. Price
Glover H. Cary	Wm. J. Kuh	J. D. Pumphrey
S. B. Coleman	W. T. Lasley	D. S. Richardson
W. E. Dowling	M. E. Lee	Lewis Ryans
William Duffy	Dr. J. E. Lilly	Joe Schneider
Odie Duncan	Dr. C. W. Mathers	Claude B. Smith
J. M. Elliston	Jacob Metzger	Adam Spahn
T. T. Gardner	Harry J. Meyers	J. H. Thompson
W. G. Gooch	John T. Murphy	D. B. Tyra
W. C. G. Hobbs	B. F. McAtee	John S. Webb
J. M. Howell	S. Mazyck O'Brien	Louis E. Yewell

—39

Those who voted in the negative were—

H. F. S. Bailey	L. L. Embrey	E. B. McGlone
C. H. Bays	Wm. Gearheart	W. J. McMurray
Chas. D. Bratcher	Frank C. Greene	L. T. Neat
G. G. Brashear	C. H. Grimes	C. B. Nichols
W. H. Brown	L. B. Hamilton	A. J. Oliver
E. Bullock	W. B. Harvey	A. B. Pieratt
Henry A. Cannon	A. B. Holland	Harry P. Purnell
R. A. Cook	David J. Howard	Richard Radcliffe
A. S. Cooper	R. B. Jackson	John T. Roach
R. T. Crowe	J. M. Johnson	L. M. Smith
James S. Cruse	T. R. Jones	E. D. Smith
H. C. Cummins	W. H. Jones	Thomas Spurrier
S. C. Dobbs	W. R. Lyon	Ed. D. Stone
Jas. R. Dorman	Claude D. Minor	R. C. Tartar
Thomas A. Dover	G. B. Moores	J. Wood Vance

J. W. Wall
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
E. G. Young

—52

And so said amendment was disagreed to.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, the same was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey
Chas. D. Bratcher
G. G. Brashear
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
L. L. Embrey
Wm. Gearheart
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. B. Harvey
A. B. Holland
David J. Howard
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
W. T. Lasley
W. R. Lyon
Dr. C. W. Mathers
Claude D. Minor
G. B. Moores
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
A. J. Oliver
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
John T. Roach
L. M. Smith
E. D. Smith
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
J. H. Thompson
D. B. Tyra
J. Wood Vance
J. W. Wall
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
E. G. Young

—59

Those who voted in the negative were—

Peter Ampler	J. M. Howell	Geo. L. Pickett
Geo. B. Barrett	Chas. L. Hunter	W. A. Price
Frank J. Brown	Wm. J. Kuh	D. S. Richardson
R. A. Cook	M. E. Lee	Lewis Ryans
W. E. Dowling	Dr. J. E. Lilly	Joe Schneider
William Duffy	Jacob Metzger	Claude B. Smith
Odie Duncan	Harry J. Meyers	John W. Snider
J. M. Elliston	John T. Murphy	Adam Spahn
T. T. Gardner	B. F. McAtee	Robt. R. Treadway
W. G. Gooch	S. Mazyck O'Brien	John S. Webb
W. C. G. Hobbs	William A. Perry	Louis E. Yewell

—33

Resolved that the title thereof be as aforesaid.

Mr. Greene moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Gardner moved that the session of the day be extended indefinitely.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, of the following title, viz.:

S. B. 46. An act to regulate the time of holding the terms of the circuit court in the Twentieth Judicial District.

To the Committee on Circuit Courts.

Also they had concurred in a joint resolution which originated in the House of the following title, viz.:

H. Res. 4. Resolution to provide the members of the Senate and House and the President of the Senate and Speaker of the House, with copies of the Kentucky Statutes and Codes of Practice.

With an amendment thereto.

Said resolution reads as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

(1) That the State Librarian be and he is hereby authorized and instructed to purchase for the use of this General Assembly ten copies of the latest edition of the Kentucky Statutes and six copies of the Kentucky Codes; six copies of said Kentucky Statutes and three copies of the Codes to be for the use of the House of Representatives, and four copies of said Kentucky Statutes and three copies of the Codes to be for the use of the Senate; all of said books to be and remain the property of the Commonwealth of Kentucky.

(2) A sum sufficient to pay for said ten copies of the latest edition of the Kentucky Statutes and said six copies of the Codes is hereby appropriated for that purpose out of any funds in the State Treasury not otherwise appropriated.

(3) An emergency is hereby declared to exist and this resolution shall become effective upon its passage and approval.

The Senate amendment proposed to said resolution is as follows, viz.:

Amend section 1 by striking out the word "this" in line 2, after the word "of" and before the word "general" and insert in lieu thereof the word "the."

Mr. Hobbs moved that the House concur in said Senate amendment proposed to House Resolution 4.

Said motion was agreed to.

Said amendment was concurred in.

Said resolution as amended by the Senate was then adopted.

The House then took up for consideration the unfinished business of yesterday, a bill entitled:

H. B. 20. An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners and to provide penalties for violating the provisions thereof.

(For said bill and the amendments proposed thereto by Messrs. Lee, Kauffman and Hutchcraft, see House Journal of yesterday.)

Mr. Mathers offered the following amendment to said bill, viz.:

Amend section 4 by striking out all down to the word "if" in line 11 and inserting the following:

"All veterinarians shall, at the end of the first year after a certificate has been issued to him, undergo an examination by the board and must answer correctly twenty-five per cent. of all questions asked him. At the end of the second year, must again be examined, answering fifty per cent. of the questions being asked; at the end of the third year, again be examined, answering seventy-five per cent. of all questions then asked. Should he fail in either of his

examinations he shall surrender his certificate to practice veterinary, but should he make correct answers of seventy-five per cent. in either of his first or second examinations, he will not be compelled to stand either of the other examinations named."

Said amendment was disagreed to.

Mr. White offered the following amendment to said bill, viz.:

Amend House Bill 20, by inserting in line 3 after the word "newspaper" the following words: "In each county if there be such."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	James S. Cruse	J. R. Durham
H. F. S. Bailey	H. C. Cummins	T. T. Gardner
Frank J. Brown	Jas. R. Dorman	W. G. Gooch
W. H. Brown	Thomas A. Dover	L. B. Hamilton
Glover H. Cary	W. E. Dowling	W. C. G. Hobbs
R. T. Crowe	William Duffy	David J. Howard

Chas. L. Hunter	C. B. Nichols	Joe Schneider
R.B.Hutchcraft,Jr.	S. Mazyck O'Brien	L. M. Smith
J. M. Johnson	William A. Perry	E. D. Smith
T. R. Jones	Geo. L. Pickett	John W. Snider
Wm. J. Kuh	A. B. Pieratt	Adam Spahn
Dr. J. E. Lilly	W. A. Price	Robt. R. Treadway
Jacob Metzger	J. D. Pumphrey	J. Wood Vance
Harry J. Meyers	Harry P. Purnell	John S. Webb
Claude D. Minor	Richard Radcliffe	M. O. Wilson
John T. Murphy	D. S. Richardson	Louis E. Yewell
B. F. McAtee	John T. Roach	E. G. Young
W. J. McMurray	Lewis Ryans	—53

Those who voted in the negative were—

C. H. Bays	J. S. Hall	A. J. Oliver
Chas. D. Bratcher	A. B. Holland	Claude B. Smith
G. G. Brashear	J. M. Howell	Ed. D. Stone
E. Bullock	R. B. Jackson	J. H. Thompson
Henry A. Cannon	W. H. Jones	D. B. Tyra
S. B. Coleman	Dr. C. W. Mathers	J. W. Wall
S. C. Dobbs	G. B. Moores	W. M. Webb
J. M. Elliston	E. B. McGlone	Frank M. White
C. H. Grimes	L. T. Neat	J. D. Wills
		—27

Resolved that the title thereof be as aforesaid.

Mr. Gardner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hutchcraft moved that when this House adjourns it be to meet again at 3 o'clock p. m. today for no other purpose than to receive the favorable reports of committees desiring to report bills to be read the first time at length and placed in the calendar.

Said motion was agreed to.

Mr. Meyers moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned to meet again at 3 p. m. of today.

AFTERNOON SESSION.

At 3 o'clock p. m., the House reconvened.

The committees to which the same had been referred reported bills of the following titles, viz.:

Mr. Duffy, of the Committee on Compensation for Industrial Injuries:

H. B. 98. An act to provide an elective system of workmen's compensation for industrial accidents, prescribing the manner of election and the rights and liabilities of employers, employes and their parties; making provision for medical and surgical care of injured employes; establishing rates of compensation for personal injuries or death; providing methods of insuring and securing the payments of such compensation; making minors *sui juris* for certain purposes; creating a board to administer this act, prescribing the duties, powers and rights thereof and imposing a tax upon insurance premiums for the maintenance of such board and providing a system of appeal to the courts from the decisions of such board; prescribing certain penalties, with an emergency clause, and appropriating certain sums to meet the expenses of putting this act into effect, and repealing all laws and parts of laws in conflict herewith to the extent of such conflict.

By Mr. Elliston, of the Committee on Constitutional Amendments:

S. B. 23. An act to amend section 201 of the Constitution of the Commonwealth of Kentucky.

By Same:

S. B. 51. An act to amend section 54 of the Commonwealth of Kentucky.

By Mr. Lasley, of the Committee on Corporate Institutions:

H. B. 279. An act to amend section 552 of the Kentucky Statutes, being section 13 of an act, entitled: "An act providing for the creation and regulation of private corporations," which became a law April 5th, 1893.

By Mr. C. B. Smith, of the Committee on Commerce and Manufacturing:

H. B. 96. A bill of an act requiring that boots and shoes made or offered for sale, in certain parts of any substitute for leather, be stamped thereon; providing a penalty for the failure to so stamp; providing the time when this act shall go into effect, and repealing any conflicting laws.

By Same:

H. B. 314. An act to provide for liens on monuments, grave stones and cemetery structures in favor of persons or corporations furnishing the same.

By Mr. J. S. Webb, of the Committee on Claims:

H. B. 152. An act for the benefit of Elbridge Wells.

By Same:

H. B. 113. An act for the benefit of Bernard Wells.

By Same:

H. B. 153. An act for the benefit of Charles Wells.

By Same:

H. B. 156. An act authorizing J. W. Ray to sue the State of Kentucky.

By Mr. Lee, of the Committee on Classification of Cities and Towns:

H. B. 377. An act to amend and re-enact an act entitled "An act to amend and re-enact an act entitled: 'An act to amend and re-enact an act entitled, An act to amend an act entitled An act to assign the cities and towns of this Commonwealth to the classes to which they belong.'" Approved March 14, 1912.

By Mr. L. M. Smith, of the Committee on Circuit Courts:

S. B. 13. An act to regulate the holding of circuit court in the Sixth Judicial District of Kentucky, and amending section 965 of the Kentucky Statutes.

With an amendment thereto.

By Same:

H. B. 349. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

By Same:

H. B. 364. An act to amend section 965, Kentucky Statutes, as amended by act approved March 22, 1910, changing time and terms for the session of courts for the First Judicial District.

By Same:

S. B. 63. An act to amend and re-enact section 359, Kentucky Statutes, relating to claims upon the State Treasury.

By Mr. Young, of the Committee on County and City Courts:

H. B. 33. An act to amend and re-enact an act entitled "An act relating to Fiscal Courts." Approved March 13th, 1912, being chapter 74 of the Acts of 1912, and being also section 1840a of the Kentucky Statutes.

By Mr. Howard, of the Committee on Criminal Law:

H. B. 262. An act in relation to pandering; to define and prohibit the same; to provide for the punishment thereof; for the competency of certain evidence at, and the venue of the trial therefor.

By Same:

H. B. 246. An act to amend section 1409, chapter 40, Kentucky Statutes, Carroll's 1915 edition.

By Same:

H. B. 384. An act to amend and re-enact section 2 of chapter 13, of the General Assembly of 1914, which is now section 2557 of Kentucky Statutes.

By Same:

H. B. 353. An act to make bicycle stealing a felony.

With an amendment thereto.

By Mr. Pieratt, of the Committee on Cities of the Fourth Class:

H. B. 309. An act to provide for collection of delinquent taxes in cities of the fourth class.

By Mr. White, of the Committee on Education:

H. B. 201. An act to provide for the teaching of the subject of elementary agriculture in the common schools of the State of Kentucky, and to require teachers to be examined on the subject of elementary agriculture.

With an amendment thereto.

By Same:

H. B. 212. An act to amend section 4399 of Kentucky Statutes.

By Same:

H. B. 281. An act to amend chapter 113, article 11, section 4503 of the Kentucky Statutes, Carroll's edition, 1915.

With an amendment.

By Same:

H. B. 275. An act to provide for the erection, organi-

zation and maintenance of county high schools jointly by two or more adjacent counties, and to allow pupils to attend high schools in counties other than their own.

By Same:

H. B. 376. An act amending chapter 113, article VIa., section 4426a, subsection 8, Kentucky Statutes, Carroll's edition, 1915, by adding the following words at the end of said subsection: "If any person who has enrolled in a high school reaches the age of 20 years and in good faith desires to continue said work each consecutive year, it shall be and is hereby made the duty of the county board to permit said person to continue said high school work, under the same terms and conditions as before reaching the age limit for attending school until said high school work has been completed."

By Same:

H. B. 378. An act to repeal an act entitled "An act to provide for erection of school buildings in Common School District No. 1, in the town of Hawesville," approved March 28, 1873, and all amendments thereto.

By Mr. Schneider, of the Committee on Fish and Game:

H. B. 176. An act prohibiting the killing or injuring of wild foxes, while the same are being chased by dogs or hunters, and providing a penalty therefor.

With an amendment thereto.

By Same:

H. B. 298. An act regulating trapping and for the pro-

tection of fur-bearing animals, and repealing all other laws and parts of laws in conflict with the provisions of this act.

With an amendment thereto.

By Mr. Greene, of the Committee on Insurance, Fire and Marine:

H. B. 157. An act to repeal sections 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642 of subdivision 1 of article 4, chapter 32; sections 682, 683, 684, 684a, 685, 686, 687, 688, 689, 690, 691, 692, 692a, 693, 694, 695, 696, 698, 699, 700, of subdivision 4, of article 4, of chapter 32; sections 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 757, 758, 759, 760, 761, 762 of subdivision 8, of article 4, of chapter 32; sections 762a, 762b, 762c and 762d of subdivision 9, of article 4, of chapter 32; section 4229 of subdivision 4, of article 13, of chapter 108; sections 4234, 4235, 4236, and 4237 of subdivision 6, of article 13, of chapter 108, all of Carroll's Kentucky Statutes, and to enact new sections to be known as sections number 617, 618, 619, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 682, 685, 686, 688, 689, 691, 692, 693, 695, 745, 761, 762, 4229, of said statutes, relating to insurance.

With amendments thereto attached.

By Same:

H. B. 110. An act to regulate the organization and operation of assessment or co-operative fire insurance companies.

By Mr. McMurray, of the Committee on Judiciary:

H. B. 337. An act to amend an act entitled "An act

concerning notaries public," carried in Session Acts of 1891, 1892, and 1893, as chapter 191 and page 850, thereof.

By Same:

S. B. 131. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

By Same:

S. B. 103. An act to amend an act entitled "An act concerning the State Inspector and Examiner," approved January 13, 1893.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 395. An act to amend section 68a, Kentucky Statutes, Carroll's edition, 1915, "An act pertaining to the duties and powers of the State Live Stock Sanitary Board of Kentucky, and providing funds for the reimbursement of owners of live stock destroyed by said State Live Stock Sanitary Board of Kentucky."

By Same:

H. B. 396. An act transferring the surplus from the dog tax into an emergency fund for the purpose of paying for loss of animals destroyed in order to prevent the spread of communicable diseases among live stock and to be under the control of the State Live Stock Sanitary Board of Kentucky.

By Same:

H. B. 407. An act to empower the Board of Penitentiary Commissioners to convey land to the United States Government; lands for the purposes of building locks and dams, and ceding such lands, when so conveyed.

By Same:

H. B. 276. An act to amend section 530, Kentucky Statutes, relating to witnesses recognized—testimony and inquest to be filed in clerk's office.

By Same:

H. B. 185. An act designating the 12th day of February of each year a legal holiday to be known as "Lincoln Day."

By Same:

S. B. 26. An act to amend and re-enact section 3637 of the Kentucky Statutes, Carroll's edition, being a part of article VI. of an Act of July 3rd, 1893, entitled "Municipal corporations, cities of the fifth class, so as to permit the council of such cities, through its Mayor, to sell, convey and transfer to the United States Government water front, or a portion thereof, when needed to improve navigation."

By Same:

H. B. 323. An act to enable fiscal courts of any county to select commissioners for the purpose of handling the proceeds of any bond issue voted by the county to build or reconstruct roads and bridges.

By Same:

H. B. 107. An act to prevent the negotiation, assign-

ment or transfer of notes without all the known credits thereon and fixing penalty.

With an amendment thereto.

By Same:

H. B. 295. An act to amend section 1 of an act entitled: "An act authorizing corporations organized or empowered to construct, etc."

By Same:

H. B. 294. An act to amend section 1 of an act entitled "An act to authorize under certain conditions, etc."

By Mr. Price, of the Committee on Juvenile Courts and Children's Home:

H. B. 21. An act to declare the wilful desertion of indigent children under the age of sixteen years by parents, a felony, and to provide punishment therefor, and to empower circuit courts in the Commonwealth to put said parents before or after conviction upon probation during good behavior, and power to ultimately set aside any judgment or to continue any indictment or other proceeding against said parents at any time within five years from the finding of said indictment or the return of any verdict of conviction under this act in the sound judicial discretion of said courts.

By Same:

H. B. 226. An act providing for the securing of a separate farm for a House of Reform for Girls, and providing for the management thereof.

With an amendment thereto.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 237. An act to amend and re-enact section 3095, Kentucky Statutes, relating to condemnation of property by cities of the second class.

By Same:

H. B. 186. An act authorizing boards of education in cities of the first and second classes to create a fund for protection against fire and other casualties and regulating its investment and use.

By Same:

H. B. 241. An act repealing sections 4217-4217a of Kentucky Statutes, and requiring permits for certain kinds of merchants; defining temporary and transient merchants and providing for licensing same; regulating the advertising, representations and business of such merchants and prescribing penalties for failure to comply with the provisions of this act.

By Same:

H. B. 325. An act to amend section 1596a, subsection 14 of the Kentucky Statutes, Carroll's edition, 1909.

By Same:

H. B. 326. An act providing a stenographer in the county attorney's office in counties containing a city of the first class.

By Same:

H. B. 332. An act to amend and re-enact section 1486,

chapter 41, Carroll's Kentucky Statutes, edition 1915, relating to cities and towns of the first, second, third and fourth classes.

By Same:

H. B. 328. An act regulating the running at large of chickens, ducks, or other fowls in incorporated cities and towns and providing a penalty therefor.

By Same:

H. B. 278. An act to provide for the summoning and pay of jurors for the coroner of counties in the Commonwealth having a population of 200,000 or over, and providing a way to compel jurors to obey summons.

By Same:

H. B. 256. An act to establish an athletic board of control.

With amendments.

By Same:

H. B. 296. An act to amend and re-enact section 3157, Kentucky Statutes, Carroll's edition, 1915, relating to clerks of the police court.

By Same:

H. B. 308. An act to define as common carriers within this State persons operating certain self-propelled public conveyances.

By Same:

H. B. 179. An act to amend an act entitled "An act creating boards of education for cities of the second class; providing for the election thereof; defining their powers and duties, and repealing all laws in conflict therewith.

(With an amendment thereto by way of substitute therefor). Ordered that said substitute be printed.

By Mr. Minor, of the Committee on Public Utilities:

H. B. 352. An act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, and defining the powers of the Railroad Commission as it relates to certain other public utilities and public service corporations, and prescribing penalties for violations of the provisions of this act.

With an amendment.

By Same:

H. B. 234. An act to require street car companies and others operating street cars upon the streets of any city or town of this Commonwealth, to furnish separate cars, or divisions of cars, or other suitable provisions for the separation of white and colored passengers, and providing for violations hereof.

By Same:

H. B. 292. An act to punish the stealing or conversion of gas, natural or artificial.

By Same:

H. B. 354. An act to amend section 2739, Kentucky Statutes, relating to motor vehicles.

By Mr. Roach, of the Committee on Public Offices:

H. B. 38. An act to decrease the fees of jailors.

By Same:

H. B. 159. An act to amend section 356 of the Kentucky Statutes, Carroll's edition, 1915, as amended by chapter 96 of the Acts of 1910, so as to decrease the fees of jailors.

By Same:

H. B. 244. An act consolidating the offices of jailor and sheriff in all counties of the Commonwealth other than the counties of Bourbon, Boyd, Boyle, Campbell, Christian, Clark, Daviess, Fayette, Franklin, Graves, Henderson, Jefferson, Kenton, Madison, Mason, McCracken, Scott, Shelby, Warren and Woodford; providing for the performance of the duties of jailor by the sheriff in such counties and fixing his compensation.

By Same:

H. B. 342. An act to authorize justice of the peace to assess property for taxation and abolish the county assessor's office.

With an amendment thereto.

By Mr. Johnson, of the Committee on Public Warehouses and Granaries:

H. B. 303. An act defining warehouse receipts and reg-

ulating the issual thereof; defining the obligations and rights of warehousemen under their receipts; negotiation of transfer of receipts; fixing penalties for violation, and an interpretation of this act.

By Mr. Perry, of the Committee on Revenue and Taxation:

H. B. 40. An act to change the date for the payment of State, county and district taxes.

With an amendment thereto.

By Same:

H. B. 7. An act exempting all Federal and Confederate soldiers in this State from paying a poll tax.

By Same:

H. B. 18. An act to provide for the payment of taxes covering the compromise in full of bonds issued for the building or aiding in the building of steam railroads; fixing property upon which it may be levied; providing for a collector to receive said taxes and give a receipt therefor.

By Same:

H. B. 382. An act to amend section 10 of article 17, of chapter 22, of an act of the General Assembly of Kentucky, approved March 15, 1906, entitled "An act relating to revenue and taxation."

By Same:

H. B. 111. An act regulating roving horse traders.

By Same:

H. B. 251. An act relating to trading stamps, coupons, tickets, certificates, cards and other similar written or printed premium devices, by whatever name called, to be used in connection with the sale of goods, wares, or merchandise, or other article or thing of value, or in connection with work, labor or services rendered for value; and providing penalties for violations of its provisions.

By Mr. Dorman, of the Committee on State Fair:

H. B. 316. An act to give the Commissioner of Agriculture, Labor and Statistics the power to properly police the Kentucky State Fair Grounds.

By Mr. Nichols, of the Committee on State University and Normal Schools:

H. B. 345. An act to change the name of State University of Kentucky, Lexington, Kentucky, to University of Kentucky.

By Same:

H. B. 346. An act to repeal section 7 of an act entitled "An act to change the name of the Agricultural and Mechanical College of Kentucky, to State University of Kentucky, Lexington, Kentucky, and to amend parts of the laws with reference to said college and to make the whole apply to said university," approved March 16, 1908.

By Mr. Yewell, of the Committee on Agriculture:

H. B. 347. An act enabling fiscal courts and boards of education to appropriate money for extension work in agriculture and home economics in their respective counties.

By Same:

H. B. 289. An act to regulate the sale of agricultural and other seeds.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Hobbs moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 10, 1916.

The House was opened with prayer by the Rev. Benjamin Andres, Pastor of the Southern Presbyterian Church, of Frankfort, Kentucky.

The reading of the Journal of yesterday was dispensed with.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Meyers:

H. B. 457. An act providing for the health protection and safety of the employees and the public in the operation of electric street railways and prescribing penalties for any violation thereof.

To the Committee on Public Utilities.

By Mr. Lee:

H. B. 458. An act to amend and re-enact section 3636, subdivision 1, Kentucky Statutes, relating to powers of city councils.

To the Committee on Cities of the Fourth Class.

By Same:

H. B. 459. An act to amend and re-enact section 3636, subdivision 6, Kentucky Statutes, empowering cities to work prisoners on county roads.

To the Committee on Public Roads and Highways.

Mr. Spurrier offered the following resolution, viz.:

Whereas, the Attorney General of Kentucky in public statements has declared there are many useless clerkships in the various departments of the State government, and also officers that are useless and not necessary, all drawing salaries in the State of Kentucky. Therefore, be it resolved, that the Speaker of this House appoint a committee of three to confer with the Attorney General in regard to said matter and that they be instructed to bring to this House a detailed report of same.

Said motion was agreed to.

Said resolution was referred to the Committee on Retrenchment and Reform.

Mr. Pumphrey offered the following resolution, viz.:

RESOLUTION PROVIDING FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE CONDITIONS AS TO FEEBLE-MINDEDNESS AMONG THE INHABITANTS OF THE STATE OF KENTUCKY.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That there shall be appointed by the Governor of this State a commission consisting of five (5) persons, to be selected by the Governor, to investigate the conditions as to feeble-mindedness among the inhabitants of the State of Kentucky.

Section 2. Said commission shall be authorized and empowered to do any and all things to make a full and complete investigation as to the number of feeble-minded persons in the State of Kentucky, the causes of feeble-mindedness; the cost to the Commonwealth and to the various divisions thereof of maintaining such feeble-minded persons; the effect of the marriage of feeble-minded persons and other defectives and delinquents upon the problem of feeble-mindedness, and the means which should be taken to lessen the seriousness of the problem of feeble-mindedness in this State. Said commission shall have authority to employ, if necessary, an investigator to assist said commission in said work, and make a written report to the Governor not later than June 1, 1917, stating its finding of facts and making recommendations of such legislation or other means of lessening the problem of feeble-mindedness in this State as shall be wise in the judgment of said commission. Upon the making of said report the existence of said commission shall terminate.

Section 3. No expense incurred by said commission in conducting said investigation and making said report (in-

cluding the salary of any investigator employed by said commission) shall be paid by the Commonwealth of Kentucky.

Ordered that said resolution lie on the clerk's desk.

By the unanimous consent of the House the Hon. Earl C. Huntsman was granted the privilege of the floor of the House today.

Mr. Spahn moved that the rules be suspended, and that he be given the unanimous consent of the House to introduce a bill.

Said motion was agreed to.

By Mr. Spahn:

H. B. 460. An act relating to crimes and punishments and making it unlawful for any person to falsely represent himself or herself as being blind, deaf, dumb, crippled or otherwise physically defective, and by such means obtaining money or property, aid or assistance, from any person, and providing a penalty for violation of the law.

To the Committee on Criminal Law.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 6. An act to amend section 14 of an act entitled "An act creating fiscal courts in the several counties in this Commonwealth, etc."

To the Committee on County and City Courts.

S. B. 56. An act to amend and re-enact an act entitled

"An act relating to fiscal courts," approved March 13th, 1912, being chapter 74 of the Acts of 1912, and being also section 1840a of the Kentucky Statutes.

To the Committee on Kentucky Statutes.

S. B. 88. An act to amend section 3751, Kentucky Statutes.

To the Committee on Kentucky Statutes.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Ampler, of the Committee on Alcoholic Liquor Traffic:

H. B. 263. An act to amend section 2557a of the Kentucky Statutes, 1915 edition, relating to the sale of intoxicating liquors.

By Mr. Elliston, of the Committee on Constitutional Amendments:

H. B. 130. An act to amend section 145 of the Constitution.

With the expression of opinion that same ought not to pass.

Mr. Hobbs moved that said bill be given its first reading, the expression of the committee to the contrary notwithstanding.

The yeas and nays being called for on said motion by Messrs. Hobbs and Webb, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	J. S. Hall	William A. Perry
C. H. Bays	L. B. Hamilton	A. B. Pieratt
Chas. D. Bratcher	W. C. G. Hobbs	Harry P. Purnell
G. G. Brashear	A. B. Holland	Richard Radcliffe
W. H. Brown	David J. Howard	John T. Roach
E. Bullock	R. B. Jackson	Lewis Ryans
Glover H. Cary	T. R. Jones	Thomas Spurrier
R. A. Cook	W. H. Jones	Ed. D. Stone
A. S. Cooper	H. Clay Kauffman	R. C. Tartar
R. T. Crowe	W. R. Lyon	J. H. Thompson
Jas. R. Dorman	Jacob Metzger	Robt. R. Treadway
Thomas A. Dover	G. B. Moores	J. W. Wall
L. L. Embrey	John T. Murphy	W. M. Webb
T. T. Gardner	E. B. McGlone	Frank M. White
Wm. Gearheart	W. J. McMurray	M. O. Wilson
Frank C. Greene	L. T. Neat	E. S. Wood
C. H. Grimes	C. B. Nichols	E. G. Young

—51

Those who voted in the negative were—

Peter Ampler	R.B.Hutchcraft,Jr.	J. D. Pumphrey
Frank J. Brown	J. M. Johnson	D. S. Richardson
S. B. Coleman	Wm. J. Kuh	Joe Schneider
W. P. Cropper	W. T. Lasley	L. M. Smith
James S. Cruse	M. E. Lee	E. D. Smith
H. C. Cummins	Dr. J. E. Lilly	Claude B. Smith
S. C. Dobbs	Dr. C. W. Mathers	John W. Snider
W. E. Dowling	Harry J. Meyers	Adam Spahn
William Duffy	S. Montgomery	D. B. Tyra
Odie Duncan	B. F. McAtee	John S. Webb
J. R. Durham	S. Mazyck O'Brien	J. D. Wills
J. M. Elliston	A. J. Oliver	Louis E. Yewell
W. G. Gooch	Geo. L. Pickett	
Chas. L. Hunter	W. A. Price	

—40

Said motion was agreed to.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 362. An act to amend section 1401 of the Kentucky Statutes, Carroll's edition, relating to descent and distribution.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the affirmative.

By Mr. Pumphrey, of the Committee on Mines and Mining:

H. B. 366. An act to amend paragraph 3, of article 8, of section 2729, of Carroll's 1914 edition of the Kentucky Statutes.

By Mr. Cropper, of the Committee on Public Health:

H. B. 183. An act to prohibit the buying or selling of patients by physicians or surgeons or other persons, and to define what shall constitute the buying or selling of patients and to fix the punishment for violation of this act.

By Mr. Radcliffe, of the Committee on Insurance, Life and Accident:

H. B. 104. An act to regulate and control fraternal benefit societies.

With an amendment thereto.

By Mr. Perry, of the Committee on Revenue and Taxation:

S. B. 38. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition, 1909, relating to revenue and taxation.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 126. An act requiring the true and actual consideration to be stated in all deeds of conveyances, and providing penalties for failure to so state.

With the expression of opinion that same ought not to pass.

Mr. W. M. Webb moved that said bill be given its first reading, the report of the committee to the contrary notwithstanding.

Said motion was disagreed to.

Said bill was refused its first reading.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 361. An act to provide loans on farm lands at low rate of interest, and for payment thereof.

With the expression of opinion that same ought not to pass.

The question being put: Shall the bill be given its first

reading, the report of the committee to the contrary, notwithstanding?

Said question was decided in the negative.

Said bill was refused its first reading.

Mr. Oliver moved that a vote of the House be taken as to whether or not the Committee on Education had held House Bill 253 an unreasonable length of time without reporting same.

Said motion was disagreed to.

Mr. Hamilton moved that a vote of the House be taken as to whether or not the Committee on Railroads had held House Bill 57 an unreasonable length of time without reporting same.

Said motion was agreed to.

(Mr. Pickett, of the Railroad Committee, announced to the House that said House Bill 57 was in his room at the hotel.)

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 310. An act to prevent persons from entering upon the lands of another for the purpose of digging ginseng, yellow root, golden seal (yellow puccoon), mayapple or other roots.

H. B. 290. An act to amend section 1228a, Kentucky Statutes, Carroll's edition, 1915, article 3, subdivision 14, and Acts of 1902, chapter 22, relating to trespass.

With an amendment thereto.

H. B. 196. An act to repeal section 6 of chapter 62, Acts 1908, entitled "An act to amend an act approved March the 21st, 1906, entitled 'An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal Executive Council, which shall determine the requirements for admission and graduation and the courses of study for said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance,'" and to re-enact and substitute in lieu thereof the following.

S. B. 47. An act providing for the payment of claims arising from loss on account of the slaughter of animals having the foot and mouth disease, and making an appropriation therefor.

H. B. 320. An act to repeal section 596 of Kentucky Statutes (Carroll's 1915 edition) relative to the payment of dividends by banks, and re-enacting said section.

H. B. 35. An act to amend and re-enact section 61 of the Constitution of the Commonwealth of Kentucky.

H. B. 138. An act to allow the use of hoopnets in the navigable rivers of Kentucky.

H. B. 65. An act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

H. B. 98. An act to provide an elective system of workmen's compensation for industrial accidents; prescribing the manner of election and the rights and liabilities of employers, employes and their parties; making provision

for medical and surgical care of injured employes; establishing rates of compensation for personal injuries or death; providing methods of insuring and securing the payments of such compensation; making minors *sui juris* for certain purposes; creating a board to administer this act, prescribing the duties, powers and rights thereof and imposing a tax upon insurance premiums for the maintenance of such board and providing a system of appeal to the courts from the decisions of such board; prescribing certain penalties, with an emergency clause, and appropriating certain sums to meet the expenses of putting this act into effect, and repealing all laws and parts of laws in conflict herewith to the extent of such conflict.

With an amendment thereto by way of a substitute therefor.

S. B. 23. An act to amend section 201 of the Constitution of the Commonwealth of Kentucky.

S. B. 51. An act to amend section 54 of the Commonwealth of Kentucky.

H. B. 279. An act to amend section 552 of the Kentucky Statutes, being section 13 of an act entitled "An act providing for the creation and regulation of private corporations," which became a law April 5th, 1893.

H. B. 96. A bill of an act requiring that boots and shoes made or offered for sale, in certain parts of any substitute for leather, be stamped thereon; providing a penalty for the failure to so stamp; providing the time when this act shall go into effect, and repealing any conflicting laws.

H. B. 314. An act to provide for liens on monuments, grave stones and cemetery structures in favor of persons or corporations furnishing the same.

H. B. 152. An act for the benefit of Elbridge Wells.

H. B. 113. An act for the benefit of Bernard Wells.

H. B. 153. An act for the benefit of Charles Wells.

H. B. 156. An act authorizing J. W. Ray to sue the State of Kentucky.

H. B. 377. An act to amend and re-enact an act entitled "An act to amend and re-enact an act entitled: 'An act to amend and re-enact an act entitled: An act to amend an act entitled: An act to assign the cities and towns of this Commonwealth to the classes to which they belong.'" Approved March 14, 1912.

S. B. 13. An act to regulate the holding of circuit court in the Sixth Judicial District of Kentucky, and amending section 965 of the Kentucky Statutes.

With an amendment thereto.

H. B. 349. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

H. B. 364. An act to amend section 965, Kentucky Statutes, as amended by act approved March 22, 1910, changing time and terms for the session of courts for the First Judicial District.

S. B. 63. An act to amend and re-enact section 359, Kentucky Statutes, relating to claims upon the State Treasury.

H. B. 33. An act to amend and re-enact an act entitled "An act relating to fiscal courts," approved March

13th, 1912, being chapter 74 of the Acts of 1912, and being also section 1840a of the Kentucky Statutes.

H. B. 262. An act in relation to pandering; to define and prohibit the same; to provide for the punishment thereof; for the competency of certain evidence at, and the venue of the trial therefor.

H. B. 246. An act to amend section 1409, cahpter 40, Kentucky Statutes, Carroll's 1915 edition.

H. B. 384. An act to amend and re-enact section 2 of chapter 13, of the General Assembly of 1914, which is now section 2557 of Kentucky Statutes.

H. B. 353. An act to make bicycle stealing a felony.

With an amendment thereto.

H. B. 309. An act to provide for collection of delinquent taxes in cities of the fourth class.

H. B. 201. An act to provide for the teaching of the subject of elementary agriculture in the common schools of the State of Kentucky, and to require teachers to be examined on the subject of elementary agriculture.

With an amendment thereto.

H. B. 212. An act to amend section 4399 of Kentucky Statutes.

H. B. 281. An act to amend chapter 113, article 11, section 4503 of the Kentucky Statutes, Carroll's edition, 1915.

With an amendment.

H. B. 275. An act to provide for the erection, organization and maintenance of county high schools jointly by two or more adjacent counties, and to allow pupils to attend high schools in counties other than their own.

H. B. 376. An act amending chapter 113, article VIa., section 4426a, subsection 8, Kentucky Statutes, Carroll's edition, 1915, by adding the following words at the end of said subsection: "If any person who has enrolled in a high school reaches the age of 20 years and in good faith desires to continue said work each consecutive year, it shall be and is hereby made the duty of the county board to permit said person to continue said high school work, under the same terms and conditions as before reaching the age limit for attending school until said high school work has been completed."

H. B. 378. An act to repeal an act entitled "An act to provide for erection of school buildings in Common School District No. 1, in the town of Hawesville," approved March 28, 1873, and all amendments thereto.

H. B. 176. An act prohibiting the killing or injuring of wild foxes, while the same are being chased by dogs or hunters, and providing a penalty therefor.

With an amendment thereto.

H. B. 298. An act regulating trapping and for the protection of fur-bearing animals, and repealing all other laws and parts of laws in conflict with the provisions of this act.

With an amendment thereto.

H. B. 157. An act to repeal sections 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633,

634, 635, 636, 637, 638, 639, 640, 641, 642 of subdivision 1 of article 4, chapter 32; sections 682, 683, 684, 684a, 685, 686, 687, 688, 689, 690, 691, 692, 692a, 693, 694, 695, 696, 698, 699, 700 of subdivision 4 of article 4 of chapter 32; sections 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 757, 758, 759, 760, 761, 762 of subdivision 8, of article 4, of chapter 32; sections 762a, 762b, 762c and 762d, of subdivision 9, of article 4, of chapter 32; section 4229, of subdivision 4, of article 13, of chapter 108; sections 4234, 4235, 4236, and 4237, of subdivision 6, of article 13, of chapter 108, all of Carroll's Kentucky Statutes, and to enact new sections to be known as sections number 617, 618, 619, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 682, 685, 686, 688, 689, 691, 692, 693, 695, 745, 761, 762, 4229, of said statutes, relating to insurance.

With amendments thereto attached.

H. B. 110. An act to regulate the organization and operation of assessment or co-operative fire insurance companies.

H. B. 337. An act to amend an act entitled "An act concerning notaries public," carried in Session Acts of 1891, 1892, and 1893, as chapter 191 and page 850, thereof.

S. B. 131. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

S. B. 103. An act to amend an act entitled "An act concerning the State Inspector and Examiner," approved January 13, 1893.

H. B. 395. An act to amend section 68a, Kentucky Statutes, Carroll's edition, 1915, "An act pertaining to the duties and powers of the State Live Stock Sanitary Board of Kentucky, and providing funds for the reimbursement of owners of live stock destroyed by said State Live Stock Sanitary Board of Kentucky."

H. B. 396. An act transferring the surplus from the dog tax into an emergency fund for the purpose of paying for loss of animals destroyed in order to prevent the spread of communicable diseases among live stock and to be under the control of the State Live Stock Sanitary Board of Kentucky.

H. B. 407. An act to empower the Board of Penitentiary Commissioners to convey land to the United States Government, lands for the purposes of building locks and dams, and ceding such lands, when so conveyed.

H. B. 276. An act to amend section 530, Kentucky Statutes, relating to witnesses recognized—testimony and inquest to be filed in clerk's office.

H. B. 185. An act designating the 12th day of February of each year a legal holiday to be known as "Lincoln Day."

S. B. 26. An act to amend and re-enact section 3637 of the Kentucky Statutes, Carroll's edition, being a part of article VI. of an Act of July 3rd, 1893, entitled "Municipal corporations, cities of the fifth class," so as to permit the council of such cities through its mayor, to sell, convey and transfer to the United States Government water front, or a portion thereof when needed to improve navigation.

H. B. 323. An act to enable fiscal courts of any county to select commissioners for the purpose of handling the pro-

ceeds of any bond issue voted by the county to build or reconstruct roads and bridges.

H. B. 107. An act to prevent the negotiation, assignment or transfer of notes without all the known credits thereon and fixing penalty.

With an amendment thereto.

H. B. 295. An act to amend section 1 of an act entitled "An act authorizing corporations organized or empowered to construct, etc."

H. B. 294. An act to amend section 1 of an act entitled "An act to authorize under certain conditions, etc."

H. B. 21. An act to declare the wilful desertion of indigent children under the age of sixteen years by parents, a felony, and to provide punishment therefor, and to empower circuit courts in the Commonwealth to put said parents before or after conviction upon probation during good behavior, and power to ultimately set aside any judgment or to continue any indictment or other proceeding against said parents at any time within five years from the finding of said indictment or the return of any verdict of conviction under this act in the sound judicial discretion of said courts.

H. B. 226. An act providing for the securing of a separate farm for a House of Reform for Girls, and providing for the management thereof.

With an amendment thereto.

H. B. 237. An act to amend and re-enact section 3095, Kentucky Statutes, relating to condemnation of property by cities of the second class.

H. B. 186. An act authorizing boards of education in cities of the first and second class to create a fund for protection against fire and other casualties and regulating its investment and use.

H. B. 241. An act repealing sections 4217-4217a of Kentucky Statutes, and requiring permits for certain kinds of merchants; defining temporary and transient merchants and providing for licensing same; regulating the advertising, representations and business of such merchants and prescribing penalties for failure to comply with the provisions of this act.

H. B. 325. An act to amend section 1596a, subsection 14 of the Kentucky Statutes, Carroll's edition, 1909.

H. B. 326. An act providing a stenographer in the county attorney's office in counties containing a city of the first class.

H. B. 332. An act to amend and re-enact section 1486, chapter 41, Carroll's Kentucky Statutes, edition 1915, relating to cities and towns of the first, second, third and fourth classes.

H. B. 328. An act regulating the running at large of chickens, ducks, or other fowls in incorporated cities and towns and providing a penalty therefor.

H. B. 278. An act to provide for the summoning and pay of jurors for the coroner of counties in the Commonwealth having a population of 200,000 or over, and providing a way to compel jurors to obey summons.

H. B. 256. An act to establish an athletic board of control.

With amendments.

H. B. 296. An act to amend and re-enact section 3157, Kentucky Statutes, Carroll's edition, 1915, relating to clerks of the police court.

H. B. 308. An act to define as common carriers within this State persons operating certain self-propelled public conveyances.

H. B. 179. An act to amend an act entitled "An act creating boards of education for cities of the second class; providing for the election thereof; defining their powers and duties, and repealing all laws in conflict therewith."

(With an amendment thereto by way of substitute therefor.)

H. B. 352. An act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, and defining the powers of the Railroad Commission as it relates to certain other public utilities and public service corporations, and prescribing penalties for violations of the provisions of this act.

With an amendment.

H. B. 234. An act to require street car companies and others operating street cars upon the streets of any city or town of this Commonwealth, to furnish separate cars, or divisions of cars, or other suitable provisions for the separation of white and colored passengers, and providing for violations hereof.

H. B. 292. An act to punish the stealing or conversion of gas, natural or artificial.

H. B. 354. An act to amend section 2739, Kentucky Statutes, relating to motor vehicles.

H. B. 38. An act to decrease the fees of jailors.

H. B. 159. An act to amend section 356 of the Kentucky Statutes, Carroll's edition, 1915, as amended by chapter 96 of the Acts of 1910, so as to decrease the fees of jailors.

H. B. 244. An act consolidating the offices of jailor and sheriff in all counties of the Commonwealth other than the counties of Bourbon, Boyd, Boyle, Campbell, Christian, Clark, Daviess, Fayette, Franklin, Graves, Henderson, Jefferson, Kenton, Madison, Mason, McCracken, Scott, Shelby, Warren and Woodford; providing for the performance of the duties of jailor by the sheriff in such counties and fixing his compensation.

H. B. 342. An act to authorize justice of the peace to assess property for taxation and abolish the county assessor's office.

With an amendment thereto.

H. B. 303. An act defining warehouse receipts and regulating the issual thereof; defining the obligations and rights of warehousemen under their receipts; negotiation of transfer of receipts; fixing penalties for violation; and an interpretation of this act.

H. B. 40. An act to change the date for the payment of State, county and district taxes.

With an amendment thereto.

H. B. 7. An act exempting all Federal and Confederate Soldiers in this State from paying a poll tax.

H. B. 18. An act to provide for the payment of taxes covering the compromise in full of bonds issued for the building or aiding in the building of steam railroads; fixing property upon which it may be levied; providing for a collector to receive said taxes and give a receipt therefor.

H. B. 382. An act to amend section 10 of article 17, of chapter 22, of an act of the General Assembly of Kentucky, approved March 15, 1906, entitled "An act relating to revenue and taxation."

H. B. 111. An act regulating roving horse traders.

H. B. 251. An act relating to trading stamps, coupons, tickets, certificates, cards and other similar written or printed premium devices, by whatever name called, to be used in connection with the sale of goods, wares or merchandise, or other article or thing of value, or in connection with work, labor or services rendered for value; and providing penalties for violations of its provisions.

H. B. 316. An act to give the Commissioner of Agriculture, Labor and Statistics the power to properly police the Kentucky State Fair Grounds.

H. B. 345. An act to change the name of State University of Kentucky, Lexington, Kentucky, to University of Kentucky.

H. B. 346. An act to repeal section 7, of an act entitled "An act to change the name of the Agricultural and Mechanical College of Kentucky to State University of Kentucky, Lexington, Kentucky, and to amend parts of the laws

with reference to said college and to make the whole apply to said university," approved March 16, 1908.

H. B. 347. An act enabling fiscal courts and boards of education to appropriate money for extension work in argiculture and home economics in their respective counties.

H. B. 289. An act to regulate the sale of agricultural and other seeds.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles, and ordered to be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 87. An act to provide for the determination of heirship of deceased persons.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That before granting any original administration upon estates of deceased persons, whether testate or intestate, it shall be the duty of the county judge to require the affidavit of the applicant for such administration, or of some other creditable person showing the date of the death of the decedent, and the names and places of residence of the heirs and husband or wife, if any of such decedent, as far as known to affiant, stating the relationship of such heirs to such decedent, and if all such matters are not known to such affiant or satisfactorily shown by such affidavit, it shall be the duty of the judge to require such information, to which end he

may cause witnesses to be summoned and their testimony to be reduced to writing, either as an affidavit or by questions and answers.

The said affidavits and written testimony shall be filed and preserved by the clerk of said court, and an order shall be entered upon the order book of said court, stating the finding of the court as to such matters.

Such orders of the court, declaring such heirship, shall be deemed and taken as prima facie evidence of the same.

In all other cases, where it may be desired to have such adjudication as to heirship, the county court of the county of the residence of a deceased owner of real estate, or if he died a non-resident, the court of the county in which any of such real estate is situated shall have jurisdiction to so declare the heirship of such deceased person upon the application of any of such heirs or those claiming under them, upon such notice given to all whom it may concern, in such manner as the court may direct.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	G. G. Brashear	Glover H. Cary
C. H. Bays	Frank J. Brown	R. A. Cook
Chas. D. Bratcher	W. H. Brown	A. S. Cooper

S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
W. A. Price
J. D. Pumphrey
Harry P. Purnell
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Ed. D. Stone
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
J. W. Wall
John S. Webb
W. M. Webb
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—78

Those who voted in the negative were—

Wm. Gearheart A. B. Pieratt —2

Resolved that the title thereof be as aforesaid.

Mr. Hutchcraft moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 114. An act to repeal the charter of the town of Flat Gap, in Johnson county.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5, chapter 113, of an act of the General Assembly of the Commonwealth of Kentucky, entitled "An act to provide for inspection of schools and school funds of the State and to increase the efficiency of the Department of Education," be repealed and that the following be and the same is enacted in lieu thereof:

"When he or his assistants shall find any mismanagement, misconduct, violation of law or wrongful or improper use of any State, county, city or district school fund, or neglect in the performance of duty on the part of any school official, he shall report any and all such violations of the school laws, to the County Attorney or Commonwealth's Attorney in the county or in the district where such violation occurs, and shall request them to assist in the indictment, prosecution and conviction of the accused, and it shall be their duty so to do. In addition, when he shall find any misappropriation, wrongful use, or a failure to properly collect or account for any school fund belonging to the State, county, city or school district, he shall have authority to file suit in a court of competent jurisdiction for the recovery of same, and it shall be the duty of the county attorney to prosecute such actions in said courts. If it is impossible to determine the amount of such fund which has been wrongfully or improperly used, not collected or not properly accounted for, he shall have authority to employ an expert accountant, who shall have access in any investigation, to all records, books,

and papers under the direction of the Superintendent of Public Instruction, and to determine the amount due."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading at length of said bill being dispensed with, said bill was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
Wm. J. Kuh
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
J. H. Thompson

Robt. R. Treadway	Frank M. White	Louis E. Yewell
J. W. Wall	J. D. Wills	E. G. Young
John S. Webb	M. O. Wilson	
W. M. Webb	E. S. Wood	—79

Resolved that the title thereof be as aforesaid.

Mr. W. M. Webb moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a resolution entitled:

H. Res. 5. Resolution directing Auditor of Public Accounts to refund certain money due saloon keepers who had paid State licenses in excess of the period they were allowed to sell.

Said resolution reads as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts of the State of Kentucky is hereby directed to issue his warrant on the State treasury in favor of the various holders of State licenses in those counties which have become dry since June 15, 1914, for such proportion of said State license as the unexpired period of the license bears to the whole year, and the Treasurer is hereby authorized to pay said amount. That is to say, he shall ascertain the date it became unlawful to sell spirituous, vinous or malt liquors in said county and shall refund to the various holders of such licenses the unearned portion thereof.

§ 2. This money having long since been due, an emergency is hereby declared to exist and this resolution shall take effect from and after its adoption.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
W. P. Cropper
James S. Cruse
H. C. Cummins
Jas. R. Dorman
W. E. Dowling
William Duffy
J. R. Durham
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
Wm. J. Kuh
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
R. C. Tartar

J. H. Thompson	John S. Webb	M. O. Wilson
Robt. R. Treadway	W. M. Webb	E. S. Wood
D. B. Tyra	Frank M. White	Louis E. Yewell
J. W. Wall	J. D. Wills	E. G. Young

—78

Resolved that the title thereof be as aforesaid.

Mr. Greene moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 146. An act to regulate city vehicle license fees and tolls for motor vehicles in cities and on all bridges, turnpikes and gravel roads in the Commonwealth of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The city license fees in cities of this Commonwealth, and the rate of tolls to be charged for all motor vehicles on all bridges, turnpikes and gravel roads in this Commonwealth shall be as follows:

§ 2. For each motorcycle, or automobile having seats within for less than three (3) passengers, the rate of toll shall be the same amount as is collected for a horse and rider;

For each motor vehicle or automobile having seats within

for more than two (2) passengers and less than six (6) passengers the rate of toll shall be the same amount as is collected for a vehicle drawn by one horse;

For each motor vehicle or automobile having seats within for more than five (5) passengers, the rate of toll shall be the same amount as is collected for a vehicle drawn by two horses;

§ 3. For each motor truck car the carrying capacity of which is not more than one-half (½) ton, the city license fee and the rate of toll shall be one-half the amount which is collected for a vehicle drawn by one horse;

For each motor truck car the carrying capacity of which is more than one-half (½) ton and not more than two (2) tons, the city license fee and the rate of toll shall be the same as is collected for a vehicle drawn by one horse.

For each motor truck car the carrying capacity of which is more than two (2) tons and not more than four (4) tons, the city license fee and rate of toll shall be the same as is collected for a vehicle drawn by two horses;

For each motor truck car the carrying capacity of which is more than four (4) tons and less than six (6) tons, the city license fee and rate of toll shall be the same as is collected for a vehicle drawn by three horses.

For each motor truck car the carrying capacity of which is six (6) tons and over, the city license fee and the rate of toll shall be the same as is collected for a vehicle drawn by four horses.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
W. P. Cropper
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
W. G. Gooch
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
Wm. J. Kuh
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Ed. D. Stone
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—79

Resolved that the title thereof be as aforesaid.

Mr. Neat moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 75. An act changing the times for holding the sessions of circuit courts of the Twenty-first Circuit Court District of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That so much of section 965 of Carroll's Kentucky Statutes of 1915 as relates to the Twenty-first Circuit Court District be and the same is hereby amended by striking out the whole of the following portion of said section 965, to-wit: "Twenty-first District, Bath county, at Owingsville, on the third Monday in February, eighteen juridical days; second Monday in May, eighteen juridical days; first Monday in October, eighteen juridical days. Montgomery county, at Mt. Sterling, on the third Monday in January, second Monday in April and first Monday in September, twenty-four juridical days each. Rowan county, at Morehead, second Monday in March, first Monday in June and fourth Monday in October, twelve juridical days each. Menifee county, at Frenchburg, on the fourth Monday in March, third Monday in June and second Monday in November, twelve juridical days each," and in lieu thereof inserting the following:

"Twenty-first District. Rowan county, at Morehead on the second Monday in January, twelve juridical days, second

Monday in April, eighteen juridical days, second Monday in September, twelve juridical days; Montgomery county, at Mt. Sterling, on the fourth Monday in January, eighteen juridical days, fourth Monday in May, eighteen juridical days, third Monday in October, twenty-four juridical days; Bath county, at Owingsville, on the third Monday in February, eighteen juridical days, first Monday in May, eighteen juridical days, fourth Monday in September, eighteen juridical days; Menifee county, at Frenchburg, on the second Monday in March, twelve juridical days, third Monday in June, twelve juridical days, third Monday in November, twelve juridical days."

So that said portion of said section as amended will read as follows:

"Twenty-first District. Rowan county, at Morehead on the second Monday in January, twelve juridical days, second Monday in April, eighteen juridical days, second Monday in September, twelve juridical days.

"Montgomery county, at Mt. Sterling, on the fourth Monday in January, eighteen juridical days, fourth Monday in May, eighteen juridical days, third Monday in October, twenty-four juridical days.

"Bath county, at Owingsville, on the third Monday in February, eighteen juridical days, first Monday in May, eighteen juridical days, fourth Monday in September, eighteen juridical days.

"Menifee county, at Frenchburg, on the second Monday in March, twelve juridical days, third Monday in June, twelve juridical days, third Monday in November, twelve juridical days."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
S. B. Coleman
W. P. Cropper
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
David J. Howard
J. M. Howell
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
D. B. Tyra
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—81

Resolved that the title thereof be as aforesaid.

Mr. Pieratt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 129. An act to amend Chapter 96, entitled, "An act to provide for the enforced attendance of children in the common schools and graded common schools of this Commonwealth," of the Acts of the General Assembly of 1912, and to provide for the appointment of a truant officer in graded common schools.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 96, entitled, "An act to provide for the enforced attendance of children in the common schools and graded common schools of this Commonwealth," of the Acts of the General Assembly of Kentucky of 1912, be amended and re-enacted so that said section, when amended and re-enacted, shall read as follows:

That parent, guardian or other person residing within the boundary of the county school district law, and of all graded and special charter schools, and having the custody, control or supervision of any child or children between the ages of seven and twelve years, inclusive, shall cause such child or children to be enrolled in and to attend some public or private day or parochial school regularly for the full common school or graded common school term in each year in

the common school district of the county in which such child or children may live in this Commonwealth. Provided, however, that this act shall not apply in any case where the child has been or is being taught at home in such branches as are taught in the public schools for a like period of time and subject to the same examination as other pupils in the district in which such child resides; and for the purpose of ascertaining whether or not any child is embraced within this exemption the county court may order such child to submit to an examination to be given by the county superintendent of schools. Provided, further, that this section shall not apply to any child who is excused by the county board of education, upon its being shown to the satisfaction of the county superintendent of schools that such child is not in proper physical or mental condition to attend school.

The board of education of all graded schools and special charter schools shall have authority to appoint a truant officer and to fix his salary. Said truant officer shall have authority to swear to warrants for violations of the provisions of this act, and to do and perform all other powers which are given to the county superintendent of schools and the county board of education under this act.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
W. H. Jones
Wm. J. Kuh
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
A. B. Pieratt
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
E. D. Smith
Claude B. Smith
John W. Snider
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
D. B. Tyra
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young
—80

Resolved that the title thereof be as aforesaid.

Mr. W. B. Harvey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 82. An act prohibiting the use or discharge of firearms or other dangerous missiles by persons on steamboats or other crafts traversing or navigating the streams within this State or while moored to the bank.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person while on a steamboat or other craft on any of the rivers in the State of Kentucky, while such boat is traversing the streams of this State or moored therein, to discharge any kind or character of firearms, or to use any weapon of any kind or character, which has the effect of throwing a deadly missile or dangerous substance upon the shore, and any person thus offending shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not less than $25 nor more than $100, or imprisoned in the county jail not exceeding thirty days.

§ 2. If the master or owner of any such boat or other craft shall permit any person while on such boat or craft to discharge any firearms of any kind or character, or any weapon, the effect of which is to throw deadly or dangerous missiles upon the shore, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than $25 nor more than $100, or imprisoned not exceeding thirty days.

§ 3. Any person furnishing information which leads to the arrest and conviction of any person violating either of the preceding sections shall be entitled to receive fifty per cent. of the fine assessed in such case, upon conviction when the

fine is collected, and the clerk of the court in which the offender is convicted shall certify to the Auditor the name of the person causing the arrest and conviction, and the Auditor shall draw his warrant for one-half of the fine recovered when same is paid into the State treasury.

The Committee on Criminal Law offered the following amendment to said bill, viz.:

Amend House Bill 82 by striking out section 3.

Said amendment was agreed to.

Mr. Greene offered the following amendment to said bill, viz.:

Amend House Bill 82 by adding the following section which shall be designated as section 3 thereof:

Section 3. The provisions of this bill shall not operate as against the hunting of game or shooting of birds or fowls from any craft other than a steamboat plying such river or rivers for profit.

Said amendment was agreed to.

Mr. Perry offered the following amendment to said bill, viz.:

Amend House Bill 82 by adding after the word "boat" in line 3, section 1, the words "or other craft."

Said amendment was agreed to.

Mr. Schneider offered the following amendment to said bill, viz.:

Amend House Bill 82 by striking out all of section 2.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
A. S. Cooper
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
A. B. Pieratt
J. D. Pumphrey
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith

Claude B. Smith	J. H. Thompson	M. O. Wilson
John W. Snider	Robt. R. Treadway	E. S. Wood
Thomas Spurrier	J. W. Wall	Louis E. Yewell
Ed. D. Stone	John S. Webb	E. G. Young
R. C. Tartar	Frank M. White	—80

Resolved that the title thereof be as aforesaid.

Mr. Young moved that the session of today be extended until the matter under consideration is disposed of.

As an amendment to said motion Mr. Greene moved that the session of today be extended until 3 o'clock p. m.

Said amendment was disagreed to.

Said motion made by Mr. Young was agreed to.

Mr. Roach moved that the vote by which said House Bill 82 was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 72. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Sixth Judicial District.

Mr. Cary moved that said bill be recommitted to the Committee on Circuit Courts with leave to report at any time.

Said motion was agreed to.

Said bill was recommitted.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 59. An act to regulate the holding of the terms of circuit court in the Thirty-fourth Judicial District.

Mr. Tartar moved that said bill be recommitted to the Committee on Circuit Courts with leave to report at any time.

Said motion was agreed to.

Said bill was recommitted.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 62. An act to regulate the holding of the terms of the circuit court in the Thirty-fourth Judicial District.

Mr. Tartar moved that said bill be recommitted to the Committee on Circuit Courts with leave to report at any time.

Said motion was agreed to.

Said bill was recommitted.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 63. An act to regulate the time of holding the terms of the circuit court in the Twentieth Judicial District.

Mr. Wilson moved that said bill be recommitted to the

Committee on Circuit Courts with leave to report at any time.

Said motion was agreed to.

Said bill was recommitted.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a resolution of the following title:

H. Res. 4. Resolution to provide for the members of the Senate and House of Representatives and the President of the Senate and Speaker of the House with copies of the Kentucky Statutes and Codes of Practice.

(For said resolution see House Journal of January 12th.)

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session in the presence of the House, affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolution which originated in the House and which has been signed

by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Pumphrey moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 11, 1916.

The House was opened with prayer by the Rev. Benjamin Andres, Pastor of the Southern Presbyterian Church, of Frankfort, Kentucky.

The reading of the Journal of yesterday was dispensed with.

The Speaker laid before the House the following announcement, viz.:

Frankfort, Ky., February 11th, 1916.

To the Speaker and Members
of the House of Representatives:

The Reverend William Stanley, an old and honored minister of the Christian Church, and father of our Governor, will occupy the pulpit of the Christian Church Sunday morning.

On account of a recent fire in the church building, the services will be held in the Capital Theatre, which is comfortable and commodious.

The minister on behalf of the congregation extends a cordial invitation to you to attend this service next Sunday morning at 11 o'clock.

Sincerely,

ROGER T. NOOE,

Minister.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Jackson:

H. B. 461. An act to further regulate the practice of medicine in this Commonwealth.

To the Committee on Public Health.

By Mr. Bratcher:

H. B. 462. An act to permit P. F. Edwards to sue the State of Kentucky.

To the Committee on Claims.

By Mr. Ampler:

H. B. 463. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

To the Committee on Municipalities.

By Mr. Dobbs:

H. B. 464. An act to provide for necessary clerical service for the State Library.

To the Committee on Public Offices.

By Mr. Roach:

H. B. 465. An act to amend and re-enact section 1, of "An act to prevent railroads or corporations owning and operating a line or lines of railroad, and its officers, agents and employees from charging, collecting or receiving extortionate freight or passenger rates in this Commonwealth; and to further increase and define the duties and power of the Railroad Commission in reference thereto, and prescribing the manner of enforcing the provisions of this act and penalties for the violation of its provisions." Approved March 10, 1900, and being section 820a, Kentucky Statutes.

To the Committee on Railroads.

By Mr. Radcliffe:

H. B. 466. An act to permit counties to vote a tax for the improvement and construction of the public roads and bridges of the county.

To the Committee on Public Roads and Highways.

By Mr. Dover:

H. B. 467. An act to establish and regulate the maximum rate of charge for the transportation of passengers by corporations or companies owning or controlling electric railroad lines within incorporated cities.

To the Committee on Municipalities.

By Same:

H. B. 468. An act transferring Highland Park, a sixth class town of Jefferson county, Ky., to the fifth class.

To the Committee on Classification of Cities and Towns.

By Mr. Perry:

H. B. 469. An act to amend part of an act relating to revenue and taxation and being sections 4059, 4115, 4116, 4119, 4121 and 4127, Carroll's 1915 edition, Kentucky Statutes.

To the Committee on Revenue and Taxation.

By Mr. Murphy:

H. B. 470. An act to amend and re-enact section 3058, subsection 20, Kentucky Statutes, Carroll's edition, 1915, relating to the regulation and control of public utilities in cities of the second class.

To the Committee on Municipalities.

By Mr. Cummins:

H. B. 471. An act to amend an act entitled: "An act for the government of cities of the fifth class." Approved July 3rd, 1893.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. E. D. Smith:

H. B. 472. An act to prevent the spreading of wild onions; making it a misdemeanor to sell or otherwise dispose of to others from products containing such seeds or bulbs and providing the penalty therefor.

To the Committee on Agriculture.

By Mr. Hutchcraft:

H. B. 473. An act providing for the payment of a salary to one probation officer in counties having a population of over 30,000 or containing a city of the third or fourth class.

To the Committee on Municipalities.

By Mr. Oliver:

H. B. 474. An act to permit all graded common school districts to levy twenty-five cents on each one hundred dollars' worth of property in such district and one dollar poll tax in addition to the amount that may be now levied, for the purpose of maintaining the school and erection and repairing buildings.

To the Committee on Education.

By Mr. Jackson:

H. B. 475. An act granting pensions to disabled soldiers who served in the State Militia and other State organizations that rendered service to cause of the Union during the Civil War.

To the Committee on Military Affairs.

By Mr. Dowling:

H. B. 476. An act to punish and make a felony for any person who, while a guest of any hotel, inn or boarding house, shall unlawfully have or seek to have or attempt to have carnal knowledge with, or who shall seek by force to have or attempt by force to have carnal knowledge with any chambermaid, housekeeper or female employee of such hotel, inn or boarding house.

To the Committee on Criminal Law.

Mr. McMurray presented a petition signed by sundry citizens of the Commonwealth of Kentucky, petitioning the General Assembly of Kentucky to increase the pension of disabled Confederate soldiers.

Said petition was read and ordered to be referred to the Committee on Confederate Home.

A message was received from the Senate announcing that they had adopted resolutions of the following titles, viz.:

S. Res. 16. Resolution endorsing Woodrow Wilson's administration.

S. Res. 17. Resolution adopting joint rules.

Ordered that said resolutions lie on the Clerk's desk.

Mr. L. M. Smith moved that the rules be suspended and that H. B. 35 be taken from the orders of the day, and made the special order of the day on Wednesday, next, at 11 o'clock a. m.

(Mr. Speaker Duffy stated that it was his opinion it would take two-thirds of the members present and voting, under the rules of the House, to carry said motion.)

Mr. Radcliffe announced that he would appeal from the expression of opinion of the Speaker, and asked time in which to prepare the appeal in writing.

Mr. Speaker Duffy vacated the chair, and designated Mr. Price to preside as Speaker pro tem. during the pendency of the appeal.

Mr. Price took the chair and presided as Speaker pro tem. while the said appeal was pending.

After a time the appeal was prepared and sent to the Clerk's desk.

Mr. Crowe made the point of order that no appeal could be taken until the vote was actually taken on the motion made by Mr. Smith, and that an appeal could not and would not be in order until after the Speaker had ruled that it required a two-thirds vote to carry said motion, after the vote had been taken and announced.

Mr. Radcliffe withdrew his said appeal from the Clerk's desk.

Mr. Price ruled Mr. Crowe's point of order as well taken, and ruled that no appeal was pending.

Mr. Speaker Duffy resumed the chair.

As an amendment to said motion made by Mr. Smith, Mr. Vance moved that House Bill 35 be made a special order for this hour, namely, 12:25 p. m.

Said motion was disagreed to.

As an amendment to said motion made by Mr. Smith, Mr.

Duncan moved that said House Bill 35 be taken from the orders of the day and placed upon its passage.

The yeas and nays being called for on said amendment by Messrs. Duncan and Smith, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
R. A. Cook
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
Odié Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
A. J. Oliver
William A. Perry
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
Bannie Tabor
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—94

Those who voted in the negative were—

William Duffy S. Mazyck O'Brien W. A. Price —3

Said last named amendment was agreed to.

Said motion made by Mr. Smith, as amended by Mr. Duncan, was then agreed to.

Mr. Greene moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Treadway moved that when this House adjourns today it be to meet again on Monday, February 14, 1916, at 1 o'clock p. m.

Said motion was agreed to.

Mr. Meyers moved that the vote by which the House agreed to adjourn until Monday at 1 o'clock be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration a bill entitled:

H. B. 35. An act to amend and re-enact section 61 of the Constitution of the Commonwealth of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 61 of the Constitution of the State of Kentucky be amended and re-enacted by striking out all of said section, so that said section when amended and re-enacted will read as follows: That upon the concurrence of three-fifths of all the members elected to each House the yeas and nays being taken thereon and entered in full upon their respective journals; that section 61 of said Constitution be amended and re-enacted so that said section when amended and re-enacted will read as follows:

"On and after June 30, 1919, the retail sale, the keeping for retail sale or barter, the retail sale under any pretext of malt, spirituous, vinous or any intoxicating liquors are forever prohibited in this State, except for medicinal, scientific, mechanical or sacramental purposes. On and after June 30, 1920, the manufacture, the sale, the keeping for sale or barter, the sale or barter under any pretext, of malt, spirituous, vinous or any other intoxicating liquors are forever prohibited in this State, except for medicinal, scientific, mechanical or sacramental purposes."

§ 2. This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under section 256 of the Constitution of Kentucky, and under the provision of the Act of May 12, 1897, same being section 1459 of the compilation of the laws known and designated as Carroll's 1915 edition of the Kentucky Statutes.

Mr. Perry moved that all debate on House Bill 35 be limited to five minutes to each member desiring to discuss same.

Said motion was agreed to.

The following pairs were announced on said House Bill No. 35:

"A pair has been agreed on between Mr. Barrett who, if present, would vote 'No' (or wet) and Mr. Cary who would vote 'Aye' (or dry.)

(Signed) "GEO. BARRETT,
G. H. CARY."

"Please announce pair on State Wide Bill for M. E. Lee and S. B. Coleman; if present, Mr. Coleman votes 'Aye' (for State wide); Mr. Lee votes 'No' (against State wide.)

(Signed) "M. E. LEE,
S. B. COLEMAN."

Mr. William Duffy moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title, and refused a constitutional majority.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	A. S. Cooper	T. T. Gardner
C. H. Bays	R. T. Crowe	Wm. Gearheart
Chas. D. Bratcher	H. C. Cummins	Frank C. Greene
G. G. Brashear	S. C. Dobbs	C. H. Grimes
W. H. Brown	Jas. R. Dorman	J. S. Hall
E. Bullock	Thomas A. Dover	L. B. Hamilton
Henry A. Cannon	L. L. Embrey	W. B. Harvey

A. B. Holland	E. B. McGlone	Ed. D. Stone
David J. Howard	W. J. McMurray	Bannie Tabor
R. B. Jackson	L. T. Neat	R. C. Tartar
J. M. Johnson	A. J. Oliver	J. Wood Vance
T. R. Jones	A. B. Pieratt	J. W. Wall
W. H. Jones	J. D. Pumphrey	W. M. Webb
H. Clay Kauffman	Richard Radcliffe	Frank M. White
W. T. Lasley	John T. Roach	J. D. Wills
W. R. Lyon	L. M. Smith	M. O. Wilson
Claude D. Minor	E. D. Smith	E. S. Wood
G. B. Moores	Thomas Spurrier	E. G. Young

—54

Those who voted in the negative were—

Peter Ampler	R.B.Hutchcraft,Jr.	Harry P. Purnell
Frank J. Brown	Wm. J. Kuh	D. S. Richardson
R. A. Cook	Dr. J. E. Lilly	Lewis Ryans
W. P. Cropper	Dr. C. W. Mathers	Joe Schneider
James S. Cruse	Jacob Metzger	Claude B. Smith
W. E. Dowling	Harry J. Meyers	John W. Snider
William Duffy	S. Montgomery	Adam Spahn
Odie Duncan	John T. Murphy	J. H. Thompson
J. R. Durham	B. F. McAtee	Robt. R. Treadway
J. M. Elliston	C. B. Nichols	D. B. Tyra
W. G. Gooch	S. Mazyck O'Brien	John S. Webb
W. C. G. Hobbs	William A. Perry	Louis E. Yewell
J. M. Howell	Geo. L. Pickett	
Chas. L. Hunter	W. A. Price	

—40

And so said bill was refused a constitutional majority, or three-fifths of all the members elected to the House of Representatives.

Mr. Meyers moved that the vote by which said House Bill 35 was refused a constitutional majority be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. William Duffy moved that this House do now adjourn.

Said motion was agreed to.

And then, in accordance with a motion previously made and agreed to, the House adjourned to meet again on Monday, February 14, 1916, at 1 o'clock p. m.

MONDAY, FEBRUARY 14, 1916.

The House was opened with prayer by the Rev. T. W. Watts, Pastor of the Methodist Church, of Frankfort, Kentucky.

The reading of the Journal of Friday, February 11, 1916, was dispensed with.

Upon a call of the counties and representative districts, the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. McGlone:

H. B. 477. An act to amend an act entitled "An act to provide for holding circuit courts and the trial of cases therein when from any cause the judge shall fail to attend, or if in attendance, cannot properly preside," being chapter 3, Acts 1910, and the portion amended being section 2 of said chapter and section 971a of Carroll's Statutes, 1915 edition, providing for the appointment of attorneys at law having the qualifications of circuit judges to act as special circuit judges.

To the Committee on Circuit Courts.

By Same:

H. B. 478. An act to provide for fences along public roadways.

To the Committee on Public Roads and Highways.

By Mr. Meyers:

H. B. 479. An act to divide Kentucky into one hundred representative districts.

To the Committee on Redistricting, Legislative.

By Mr. Bullock:

H. B. 480. An act relating to the election of county road engineer. An act to amend chapter 110 of the act creating the office of county road engineer.

To the Committee on Public Roads.

By Same:

H. B. 481. An act authorizing the Superintendent of Public Instruction of Kentucky to purchase and loan to students of the elementary schools of Kentucky text books free of cost for use in said schools.

To the Committee on Education.

By Mr. Ryans:

H. B. 482. An act relating to the exhibiting of moving picture films, providing for the examination, approval and licensing of moving picture films and the operators of mov-

ing picture machines and providing penalties for violation of this act.

To the Committee on Public Health.

By the Committee on Education:

H. B. 483. An act repealing section 4385, Kentucky Statutes, Carroll's edition of 1915, and re-enacting same, so as to give the State Superintendent of Public Instruction authority to appoint additional clerks and stenographers for the State Department of Education, and providing for the payment of said appointees out of the State school fund.

To the Committee on Education.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 14. An act to regulate the writing and publishing of the opinions of the Court of Appeals of Kentucky.

To the Committee on Court of Appeals.

S. B. 138. An act to amend section 1 of an act entitled "An act providing for the construction of bridges across navigable streams in this Commonwealth."

To the Committee on Public Bridges.

S. B. 223. An act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies.

To the Committee on Railroads.

Mr. Hutchcraft moved that all the committee amendments proposed to House Bill 157 be printed and laid on the members' desks.

Said motion was agreed to.

Mr. T. R. Jones offered the following resolution, viz.:

Whereas, J. D. Pumphrey, a member of this House from Fleming county, on the 11th day of February, 1916, made serious charges on the floor of this House, reflecting on the character of W. B. Harvey, a member of this House from Webster county, and whereas, said charges cannot be investigated by any other tribunal or body to determine their truthfulness except this House.

Therefore, be it resolved by the House of Representatives, that the following named members of this body, to-wit: H. F. S. Bailey, C. B. Nichols, A. B. Pieratt, J. S. Cruse, W. R. Lyon, Wm. Perry, Walter J. McMurray, be appointed as a committee to investigate fully the truthfulness or untruthfulness of the serious charges made on the floor of this House by said Pumphrey against said Harvey.

Section 2. Said committee is authorized, empowered and directed to issue subpoenas for witnesses, to have them appear and testify before said committee, to administer oaths to said witnesses.

Section 3. Said committee is authorized and directed to have the testimony produced before it reported in shorthand and they are authorized and directed to file with their report a complete transcript of the proceedings had before it.

Section 4. Said Pumphrey may appear before said committee in person and by attorney and have witnesses summoned and produce such testimony as may to him appear

necessary to sustain said charges, and said Harvey may appear in person and by attorney to cross-examine witnesses and to produce witnesses in his own behalf, subject to cross-examination by said Pumphrey, or his attorney.

Section 5. The hearings of said committee shall be open to the public and this investigation shall be determined as speedily as said committee may properly do so, and it shall report its findings to this House.

Mr. J. T. Murphy offered the following amendment to said resolution, viz.:

That the Speaker be empowered to appoint a committee to investigate both charges and counter charges made by H. B. Harvey and J. D. Pumphrey upon the floor of this House.

Mr. Oliver offered the following as a substitute for said resolution and all pending amendments thereto, viz.:

Be it resolved, that the gentleman from Webster shall have the power to appoint a committee of three and the gentleman from Fleming shall have the power to appoint three. The six shall agree on one (1) making a total of seven constituting the committee. This committee shall have full power to investigate charges and counter charges made on this floor on Friday last. This committee shall have all powers regarding the summoning of witnesses and production of competent written or oral evidence. The Sergeant-at-Arms shall wait on committee. All hearings shall be public when in executive session.

Said substitute was agreed to.

Said amendment offered by Mr. Murphy was disagreed to.

Said resolution proposed by Mr. T. R. Jones as amended by Mr. Oliver by way of substitute therefor was agreed to.

Mr. Spurrier offered the following resolution, viz.:

Whereas, the Louisville Times and Courier-Journal have compiled and published a small booklet entitled, "Who's Who in the Kentucky General Assembly," and gratuitously distributed same to members of said body, and whereas same has been of much benefit to this body. Therefore, be it resolved, that the thanks of this body be extended to said papers and also to the author of the book, Will S. Kaltenbacher.

Said resolution was agreed to.

Mr. Gardner moved that the Hon. W. J. Stone, Ex-member and Ex-speaker of this House, be given the privilege of the floor of this House for the remainder of the present session.

Said motion was agreed to.

Mr. Stone offered the following joint resolution, viz.:

Resolution providing for the appointment of a committee from the House of Representatives and Senate, to gather such information as they deem necessary concerning the State University, at Lexington.

Whereas, the State University at Lexington was established for the benefit of the people of this State, in which institution the people is justly proud, and, in view of the fact that the State of Kentucky has invested in the State University at Lexington a large sum of money, and that the House of Representatives is not fully apprised of the detailed workings and expenditures and moral conditions and that such in-

formation is necessary to intelligent action by this body towards the said institution;

Therefore, be it resolved by the House of Representatives, the Senate concurring therein, that a committee of six, three on the part of the House of Representatives to be named by the Speaker, and three on the part of the Senate to be named by the President of the Senate thereof, be appointed to investigate such facts that would enable the General Assembly to act intelligently upon all matters which may come before them looking to the interest of this institution. Said committee is to bear their own expense in making such investigation.

Ordered that said resolution lie on the Clerk's desk.

The Committee on Public Roads and Highways to which the same had been referred reported a joint resolution of the following title, viz.:

S. Res. 10. Resolution memoralizing Kentucky's U. S. Senators to urge enactment of "Shackelford Roads Bill."

Whereas, at this time the people of Kentucky are manifesting great interest in road building, which is due in a large measure to the recent enactment of a splendid State aid road law by the General Assembly, under the provisions of which many of our counties increased their taxation and voted upon themselves bond issues for the purpose of raising funds for road building;

And whereas, because of the great financial outlay necessary to carry on this work, and because of the great impetus given this work by State aid;

And whereas, we see from press reports that the "Shackelford Roads Bill" has passed the National House of

Representatives, under the provisions of which Kentucky will receive annually the sum of $580,274 for road building, and that the Kentucky delegation in said House of Representatives unanimously supported said bill;

Therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky, that we endorse and approve the action and efforts of our representatives in Congress in this matter, and urge upon our United States Senators, the Hon. Ollie M. James and the Hon. J. C. W. Beckham, to give this measure their support and use all honorable efforts to secure its passage through the United States Senate.

Said resolution was adopted.

Mr. Hutchcraft moved that the session of today be extended indefinitely.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Minor, of the Committee on Appropriations:

H. B. 250. An act authorizing the Commonwealth of Kentucky to pay the indebtedness created against the property of the Western Normal School by the provisions of section 4535c, Kentucky Statutes, and authorizing the Board of Regents of said school to pay a part of said indebtedness out of the annual appropriation made for the support of said school, and appropriating money for said purpose.

By Same:

H. B. 312. An act for the benefit of the Kentucky Il-

literacy Commission, appropriating money thereto and providing a census of adult illiterates.

By Mr. L. M. Smith, of the Committee on Circuit Courts:

H. B. 372. An act amending section 367a, of article 7 of chapter 2, of title 9, of the Civil Code of Practice.

By Mr. Young, of the Committee on County and City Courts:

H. B. 334. An act to amend and re-enact section 1731, and to repeal section 1732, of article IV., of chapter 47, Kentucky Statutes, Carroll's edition, 1915, relating to fees that may be charged by county judges, city or police judges and justices of the peace.

With an amendment thereto by way of a substitute therefor.

Ordered that said substitute be printed.

By Mr. Oliver, of the Committee on Codes of Practice:

H. B. 151. An act to amend section 694 of the Civil Code of Practice.

By Same:

H. B. 44. An act amending paragraph 1 of section 606 of Carroll's 1913 edition of the Kentucky Civil Code of Practice.

By Same:

H. B. 123. An act providing for appeal in all criminal

cases from the judgment of county, police and justice of the peace courts to the circuit courts.

With an amendment thereto.

By Same:

H. B. 358. An act to amend section 93 of the Civil Code.

By Mr. White, of the Committee on Education:

H. B. 260. An act for the benefit of graded schools under special charters and having an endowment fund.

By Same:

S. B. 111. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

By Same:

H. B. 402. An act to provide for Temperance Day in the public and high schools of the Commonwealth of Kentucky, and the manner in which programmes shall be furnished and placards, posters, mottoes, epigrams, etc., exhibited.

By Same:

H. B. 299. An act to amend chapter 113, article VIa., Carroll's Kentucky Statutes, 1915 (page 133, Act of March 24, 1908) districts, trustees, teachers, taxation.

By Same:

H. B. 386. An act to amend section 3462 of subdivision IX. of article IV. of chapter 89 of Kentucky Statutes, Carroll's edition, 1915, being a part of the act of June 14, 1893, relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office, meetings and quorum of the boards of education of said cities of the third class.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 417. An act to prevent deception and misrepresentation in the sales of metallic commodities, and providing a penalty therefor.

By Same:

H. B. 344. An act prescribing the qualifications for judges of the county court.

By Mr. Spahn, of the Committee on Public Utilities:

H. B. 401. An act to regulate the licensing of vehicles operating between two or more municipalities within the Commonwealth of Kentucky.

Mr. Spahn moved to be granted the unanimous consent of the House to substitute the printed House Bill 401 for the original House bill which he had lost or misplaced.

Said motion was agreed to.

By Mr. Gooch, of the Committee on Public Monuments and Historical Records:

S. B. 129. An act to provide for a State flag for the Commonwealth of Kentucky and to provide for the design thereof.

By Mr. Pickett, of the Committee on Railroads:

H. B. 57. An act to further regulate railroads and to provide for the safety of employees on trains.

By Same:

H. B. 207. An act to regulate liability of common carriers upon "Intra State" shipments.

By Same:

H. B. 12. An act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling railroads within the boundary of this State in part or in whole.

By Mr. Dorman, of the Committee on State Fair:

H. B. 416. An act to amend section 1, subdivision 4, article 12, chapter 22, of an act of the General Assembly of 1906, being "An act relating to revenue and taxation," which name is now section 4224 of the Kentucky Statutes.

By Mr. White, of the Committee on Education:

H. B. 394. An act to empower the State Board of Education of Kentucky to issue certificates to teach to graduates of Normal Schools of Kentucky other than institutions supported by the State of Kentucky, and repealing all laws in conflict therewith.

By Mr. White, of the Committee on Education, which committee originated a bill entitled:

H. B. 483. An act repealing section 4385, Kentucky Statutes, Carroll's edition of 1915, and re-enacting same, so

as to give the State Superintendent of Public Instruction authority to appoint additional clerks and stenographers for the State Department of Education, and providing for the payment of said appointees out of the State school fund.

By Mr. Coleman, of the Committee on Public Roads and Highways:

H. B. 409. An act to require abutting property owners to cut the shrubbery and weeds on rights of way of turnpikes or macadamized roads, in this Commonwealth.

By Same:

H. B. 431. An act to provide for the advertisement of contracts on State aid road work.

With an amendment thereto.

By Same:

H. B. 418. An act to amend Carroll's edition Kentucky Statutes, 4303 (17.)

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 15, 1916.

The House was opened with prayer by the Rev. J. L. Alderson, Assistant Pastor of the Christian Church, of the city of Frankfort, Kentucky.

The reading of the Journal of the House of yesterday was dispensed with.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Dobbs:

H. B. 484. An act relating to trespass and fixing the penalty for violation thereof.

To the Committee on Criminal Law.

By Mr. Cooper:

H. B. 485. An act to amend and re-enact chapter 126 of the Acts of 1912, being section 4758a of the Kentucky Statutes, entitled, "An act to regulate the assignment, sale, pledge, mortgage and other transfer of wages to be earned or paid in the future where a whole or a part of the consideration therefor is a sum of money of less than $200.00," approved March 18th, 1912.

To the Committee on Judiciary.

By Mr. Spahn:

H. B. 486. An act to provide for the compulsory education of deaf mutes, and providing penalties for a violation thereof.

To the Committee on Education.

By Mr. Ryans:

H. B. 487. An act amending section 503, Carroll's edition, Kentucky Statutes, and providing penalty for violation thereof.

To the Committee on Railroads.

By Mr. Cary:

H. B. 488. An act to amend an act entitled "An act to amend an act entitled 'An act providing for the payment of interest on warrants issued for claims against the State of Kentucky, and fixing the order of payment thereof, and the funds from which said warrants shall be paid,' approved May 8, 1897, by repealing said act and enacting a substitute therefor," which was neither approved nor disapproved by the Governor, being chapter 72 of the Acts of 1910, and to amend an act entitled "An act to amend section 3, of chapter 72, of the Acts of 1910," approved by the Governor on March 17, 1914, being chapter 27 of the Acts of 1914, by repealing both of said acts and enacting a substitute therefor.

To the Committee on Revenue and Taxation.

By Mr. Mathers:

H. B. 489. An act creating and establishing a hospital for inebriates to be erected on the grounds of the Central State Hospital, at Lakeland, Kentucky, by the State Board

of Control, and to provide means for the building and maintenance of said institution.

To the Committee on Appropriations.

By Mr. Montgomery:

H. B. 490. An act to require retail dealers in gasoline to pay a license tax.

To the Committee on Revenue and Taxation.

By Mr. E. D. Smith:

H. B. 491. An act to require the separation of white and colored prisoners in county jails, etc.

To the Committee on County and City Courts.

By Same:

H. B. 492. An act to regulate the admission to the bar of this State of attorneys from other States.

To the Committee on Codes of Practice.

By Mr. Hutchcraft:

H. B. 493. An act to create the Thirty-sixth Judicial District of Kentucky, fixing the time of holding courts thereof and providing for the appointment of a Circuit Judge and Commonwealth's Attorney therein and changing the Fourteenth, Twenty-third, Thirty-second, Twenty-fifth, Twenty-seventh, and Thirty-fourth Judicial Districts of Kentucky so as to provide for the Thirty-sixth Judicial District and providing for Judge and Commonwealth's Attor-

neys in each of said judicial districts and fixing the time of holding courts in each of the said judicial districts.

To the Committee on Redistricting, Judicial.

By Mr. O'Brien:

H. B. 494. An act to select commissioners to raise money and purchase heroic bronze or marble statues of John C. Breckinridge and Simon Bolivar Buckner, deceased, and to provide pedestals appropriately inscribed and to defray the expenses of transporting the same to Washington, D. C., when completed and erecting them in the National Statuary Hall, at Washington, D. C.

To the Committee on Public Monuments and Historical Records.

By Mr. Metzger:

H. B. 495. An act to repeal an act entitled "An act for the government of cities of the second class in the Commonwealth of Kentucky."

To the Committee on Kentucky Statutes.

By Mr. Vance:

H. B. 496. An act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling railroads within the boundaries of this State in part or in whole.

To the Committee on Railroads.

By the Committee on Redistricting, Judicial:

H. B. 497. An act creating the Thirty-seventh Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment of an election of a Circuit Judge and Commonwealth Attorney and changing the Thirty-first and Thirty-second Judicial Districts of Kentucky, so as to provide for said Thirty-seventh District and fixing the time for holding the courts in said district and in the Thirty-first and Thirty-second Districts.

To the Committee on Redistricting, Judicial.

By the unanimous consent of the House the Hon. H. K. Bourne, Ex-member of this House, was granted the privilege of the floor of this House.

By the unanimous consent of the House the Hon. John Drescher of the city of Louisville, and Ex-member of this House, was granted the privilege of the floor of this House.

By the unanimous consent of the House the Rev. William Stanley, father of our Governor, was granted the privilege of the floor of this House today.

Mr. Oliver moved that a vote of the House be taken as to whether or not the Committee on Revenue and Taxation had held House Bill 88 an unreasonable length of time without reporting same.

Said motion made by Mr. Oliver was agreed to.

Mr. W. M. Webb moved that a vote of the House be taken as to whether or not the Committee on Alcoholic Liquor Traffic had held House Bill 243 an unreasonable length of time without reporting same.

Said motion made by Mr. W. M. Webb was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 9. An act to amend section (1) of chapter 33 of the Acts of 1908 entitled "An act to provide for two district detectives for, and an annual expense fund of five hundred ($500.00) dollars for the Commonwealth's Attorney of districts containing counties in the Commonwealth containing a population of 150,000 or over;" approved March 20th, 1908.

To the Committee on Municipalities.

S. B. 118. An act to amend and re-enact sections 3194 and 3195 of the Kentucky Statutes, relating to the sinking fund, in cities of the second class.

To the Committee on Municipalities.

S. B. 16. An act to amend section 2751, Kentucky Statutes, Carroll's edition of 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

To the Committee on Municipalities.

S. B. 31. An act to amend section 69 of an act entitled "An act for the government of cities of the first class," approved July, 1893, relating to public improvements.

To the Committee on Municipalities.

S. B. 82. An act creating the office of supervisor of ditches, public drains, non-navigable streams, and prescrib-

ing the duties of same, in counties containing more than 250,000 population.

To the Committee on Municipalities.

S. B. 178. An act to repeal an act entitled "An act to incorporate the town of Dunnville, in Casey county," being chapter 694 of Session Acts 1877-1878, and which act was approved March 30, 1878.

To the Committee on Cities of the Fifth and Sixth Class.

S. B. 95. An act to amend the Kentucky Statutes, article 10, section 4464, relating to the graded common schools, being the same as chapter 12, section 155, of the common school laws of Kentucky.

To the Committee on Education.

S. B. 155. An act to amend and re-enact section 3095, Kentucky Statutes, relating to the condemnation of property by cities of the second class.

To the Committee on Municipalities.

S. B. 102. An act to amend section 4464, of article 10, chapter 113, Kentucky Statutes, Carroll's edition, 1915, A. D., entitled Graded Common Schools.

To the Committee on Education.

Also that they had passed bills which originated in the House of the following titles, viz.:

H. B. 22. An act authorizing the fiscal court in each county having therein a city of the second class to acquire

a law library and to provide for the maintenance and operation of same.

H. B. 61. An act to amend section 3449 of the Kentucky Statutes. The object of which is to amend the statutes of Kentucky, so that cities of the third class may pay for construction of streets in installments.

With an amendment thereto by way of substitute therefor.

Mr. Meyers moved that the Senate amendment to said House Bill 61 by way of substitute therefor, be concurred in by the House.

Said motion was agreed to.

Said Senate amendment by way of substitute for House Bill 61 was then concurred in.

(For said bill see House Journal, January 25th.)

The amendment by way of substitute for House Bill 61 proposed to said bill by the Senate, is as follows, viz.:

An Act to amend and re-enact sections 3449, 3450, 3451, 3452, 3453, 3454, 3455, 3456, 3457, 3458, 3459 of the Kentucky Statutes relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares, in cities of the third class.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3449 of the Kentucky Statutes be, and the same is hereby amended and re-enacted to read as follows:

§ 3449. The common council, or the board of commissioners in cities which have adopted or may adopt, the commission form of government, shall have and exercise exclusive control and power over the streets, roadways, sidewalks, alleys, landings, wharves, public grounds and highways of the city; to establish, open, alter, widen, extend, close, grade, pave, repave, clean, and keep in repair the same; to prevent and remove all encroachments thereon or obstructions thereof; to put drains and sewers in the same, and to regulate and prohibit the building of vaults and areas under sidewalks; to enforce and regulate connection with sewer, gas and water mains and conduits of all kinds laid in or under the streets and highways of the city for any purpose.

Upon the adoption of an ordinance by the common council, or said board of commissioners authorizing and directing the closing of the whole or any portion of a street or alley or other public highway within the limits of jurisdiction of the city, it shall be the duty of the city attorney to institute an action in the circuit court for the purpose of having the same closed, and to such action all the owners of ground in the squares or lots divided by such street, alley or highway, or the portion thereof proposed to be closed, shall be made defendants; and if all defendants competent to act for themselves fail to object to the closing prayed for, then the court shall render a decree accordingly; but if any of said defendants object, or are under disability other than coverture, the court shall empanel a jury, which shall hear evidence and determine the amount of compensation in the form of damages to be paid to each of such defendants. The court shall thereupon direct that said street, alley or other highway be closed upon payment to each of such defendants of the amount of damages awarded to him, or, if any defendant refuses to accept such payment, or be for any reason,

unable to do so, upon payment into court of the amount awarded such defendant or defendants.

It shall be the duty of the court to give such proceedings precedence over other cases.

When any parcel of ground shall have heretofore been or shall hereafter be, laid off as a street, avenue, or alley, and open to the unrestricted use of the general public for five consecutive years, it shall be conclusively presumed to have been dedicated to the city as a public street, avenue or alley of the city, subject, however, to the acceptance by the city and the city may, at any time after the expiration of five years from the time such parcel of ground is laid off and opened to the public, pass an ordinance declaring such parcel of ground to have been so dedicated, and accepting the dedication thereof; whereupon it shall become and be a public street, avenue or alley of the city for all purposes, and the lack of an actual dedication thereof to the city or of a record title thereto on the part of the city, shall be no defense against the collection of any tax which may be assessed and levied against property abutting thereon for the payment of the cost of any improvement constructed thereon by order of the city. Provided, That nothing herein shall be construed to require the expiration of five years to raise such presumption of dedication in any case, where, under any rule of law now in force in this State, a dedication would be presumed in less than five years.

§ 2. That sections 3450, 3451, 3452, of the Kentucky Statutes be, and the same are amended, and re-enacted in one section to read as follows:

§ 3450. The common council, or the board of commissioners in cities which have adopted, or may adopt, the commission form of government, may, by ordinance, provide for the improvement of streets, alleys, and other public

ways and sidewalks (including curbing and guttering) or parts thereof, in the manner herein set out. The improvement of any public way or sidewalk by original or reconstruction or by resurfacing upon a foundation already in place, shall be deemed an improvement within the provisions of this act. An ordinance for improvement of any public street or sidewalk as contemplated in this section shall have two readings before the common council or said board of commissioners, and ten days shall intervene between the first and second readings. The improvement of public ways and sidewalks (including curbing and guttering), except as hereinafter provided, shall be made at the exclusive cost of the owners of real estate abutting on such improvement, to be apportioned among and assessed upon the lots or parcels of real estate abutting on such improvement according to the number of front or abutting feet, and a tax shall be levied upon such lots or parcels of real estate for the payment of the cost assessed thereon, which tax shall be due and payable at the city treasurer's office upon completion of the work and acceptance thereof by the common council or said board of commissioners, unless otherwise provided in the ordinance ordering such improvement, and no property shall be exempt from such improvement tax. Any such tax which is not paid within thirty days after the same becomes due, shall have added thereto a penalty of six per cent. There shall be a lien upon such lots or parcels of real estate for the part of the cost of such improvement so assessed thereon, and the same shall bear interest at the rate of six per cent. per annum from the time of the assessment until paid. Any assessment for any street improvement as provided in this section which exceeds one-half of the value of the lots or parcels of real estate upon which the assessment is made shall be void as to such excess, but the improvement shall be taken into consideration in fixing the value of such real estate and the common council, or said board of commissioners shall provide for the payment of any such excess out of

the general fund. When in any such city having therein a street railway, and the railway company is required by its franchise, or by any contract with the city, to pave or improve any part of the streets or alleys of the city, proposed to be improved, the cost of paving such portion of such streets or alleys shall be assessed against such railway company and a tax shall be levied upon all property, assets, and franchise of such company, in the city for the payment thereof. Such tax shall constitute a first lien upon all property, assets, and franchises of all kinds whatsoever, of such company within the corporate limits of the city, and shall be due and payable at the same time and in the same manner, and shall bear like interest as the taxes assessed against the abutting property. Such railway company shall have the right to construct its own part of such proposed improvement, and if it shall do so, no tax shall be assessed against such company. Provided, however, that such company shall before the letting of the contract for such improvement elect by written request presented to the common council or said board of commissioners, to construct its part of such improvement, and shall execute a bond to the city with good and sufficient surety, to be approved by the mayor, conditioned that it will do the work of improving such part of the street with such material and according to such plans and specifications, and within such time and subject to such provisions as the ordinance therefor may prescribe. The city may pay the cost of the improvement of intersections with other public ways, including one-half of the width of the street or alley being improved, opposite other streets or alleys which run into, but do not cross the street or alley so being improved, and of that proportion of any street abutting upon property belonging to the city, or it may assess the cots thereof against the property abutting on the street or way or part thereof ordered improved.

If any property abutting on the improvement be owned

by any county, it shall pay in cash such portion of the tax, as may be assessed against it and the same right of action for the collection of such tax shall lie against the county as lies against any abutting owner.

The city auditor shall keep in his office, in a book to be provided for that purpose, a record of all assessments of local taxes as provided in this section, showing the name and portion of the street on which the improvement is made, the character of the improvement and the names of the persons against whose property the assessments are made. Such record shall be subject to inspection by any person desiring to inspect the same, and shall be conclusive evidence of notice to all persons of such assessments and the lien created thereby, upon payment of any improvement tax to the treasurer; he will report the same to the auditor, who will make proper entry thereof in the record book herein provided for, whereupon the lien for such tax shall stand released. All local taxes paid into the city treasury shall, from time to time, be paid over to the contractor or other person entitled thereto, upon order of the common council, or board of commissioners. The auditor shall carefully keep a separate account of the funds arising from assessments for each particular improvement, and no proceeds arising from assessments for one improvement shall be divrrted to the payment for any other improvement whatever. The proceeds shall in each case constitute a separate special fund for the payment of the contractor for the particular work for which the assessment is made or for the security and payment of improvement bonds, if any are issued as provided in section 3459 for such improvement. The common council or said board of commissioners of any city of the third class may provide by general ordinance that such city shall pay part, and if so, what part of the cost of the improvement of the streets, alleys, or other public way (excluding sidewalks) of such city. When such provision is made, it shall be uniform

and shall thereafter apply to the improvement of all streets, alleys and public ways in the city (excluding sidewalks), and such general provision shall not thereafter be changed or repealed except at intervals of ten years or more.

§ 3. That section 3453 of the Kentucky Statutes be and the same is amended and re-enacted to read as follows:

§ 3453. Before the common council, or the board of commissioners in cities which have adopted or may adopt the commission form of government, shall order the improvement of any street, alley, public way or sidewalk, as provided in section 3450, it shall adopt a resolution designating the street or public way or sidewalk proposed to be improved, setting out in general terms the character and extent of the proposed improvement and declaring such improvement to be a necessity. Such resolution shall be published in one or more issues of a newspaper of general circulation published in such city at least thirty days before the ordinance ordering such improvement shall pass the common council or said board of commissioners. At any time prior to the final passage of the ordinance ordering the improvement, the owners of more than fifty per cent. of the abutting property may file a written petition designating the materials to be used in the construction of that part of the improvement for the cost of which the abutting property would be liable or may file a written protest against the improvement. Such petition of protest shall be filed with the mayor and he shall transmit the same to the common council, or said board of commissioners, at its next meeting after he receives the same. Should such petition be filed as above provided, the improvement of that part of the street for the cost of which the abutting property is liable, shall not be made with any other material than that designated in the petition, unless the ordinance therefor be passed by a two-third vote of the members elect of the common council, or of said board of commission-

ers. Should a written protest be filed against said improvement as above provided, the improvement shall not be made unless the ordinance therefor be passed by a two-third vote of the members-elect of the common council or said board of commissioners.

§ 4. That section 3454 of the Kentucky Statutes be, and the same is amended and re-enacted to read as follows:

§ 3454. Subject to the provisions of the preceding section, the common council, or the board of commissioners in cities which have adopted or may adopt the commission form of government shall have full power to determine what streets, alleys, public ways, or sidewalks (including curbing and guttering), or parts thereof shall be improved, the extent and character of the improvement, the kind of material or materials to be used, and the necessity for the improvement, and its determination shall be final. It shall have power to let the contracts for the work, provided that no such contracts shall be let except upon competitive bidding to the lowest and best bidder, after advertisement for two consecutive weeks in a newspaper of general circulation published in said city. It may require cash deposits or other guarantee from bidders to insure compliance with their bids and forfeiture of same to the city in the event the accepted bidder fails to comply with his bid. It may require bond of the contractor with surety for the performance of the work in accordance with his contract and a guarantee of the work for such time as the common council, or said board of commissioners, may require, and it shall have power to do all things necessary to the proper execution and carrying out of any such improvement whether specifically enumerated herein or not. The common council or said board of commissioners may prescribe one kind of material to be used in the improvement of that part of any street for the cost of which any railway company may be liable, and different

material or materials for the improvement of the other portions of such street, and all courts will give a liberal construction to the rights and powers of the common council of said board of commissioners, under this act.

§ 5. That sections 3455 and 3456 of the Kentucky Statutes be and the same are amended and re-enacted in one section to read as follows:

§ 3455. When any such improvement shall have been made and the contract therefor completed, the city engineer shall make a full and correct estimate of the total cost thereof, showing the total number of fronting or abutting feet of property, the cost per abutting foot, the names of the abutting property owners, the number of abutting feet of property owned by each person and the proportionate part of the cost of the improvement to be assessed against the property of each abutting property owner, the part payable by the city, if any, and the part payable by any street railway company, if any. One copy of this estimate shall be delivered by the city engineer to the chairman of the street committee of the common council or the commissioner of public works in cities which have adopted, or may adopt, the commission form of government, and another copy to the mayor, to be, by him, transmitted to the common council or the board of commissioners in cities which have adopted, or may adopt, the commission form of government. Upon receipt of such copies from the city engineer, the chairman of the street committee, or the said commissioner of public works, shall by notice by one insertion in a newspaper of general circulation published in said city give at least three days' notice of the time and place fixed by it for the inspection and reception of the work, which notice shall state the cost per abutting foot of property as shown by the engineer's estimate and the amount apportioned to any railway company. No other notice shall be necessary. At the time and

place fixed in said notice, the said street committee of the common council or the said commissioner of public works shall inspect the work, and the owners of property liable for the cost of the improvement, and the contract to therefor, their agents and representatives may appear and be heard before said street committee, or commissioner of public works, as to whether the work had been done and the cost thereof estimated in accordance with the ordinance and contract therefor. The said street committee, or commissioner of public works, may adjourn such hearing and inspection from time to time, and of such adjournment all interested parties shall take notice without further publication of notice. Any protest against the acceptance of the improvement or the estimated cost thereof shall be made in writing to said committee, or commissioner of public works, and be transmitted by said committee, or commissioner of public works, to the council, or said board of commissioners, together with a written report of said committee or commissioner of public works, accepting or rejecting the work accordingly as it may be of opinion that the work had or had not been done and the cost thereof estimated in accordance with the ordinance and contract therefor.

§ 6. That section 3457 of the Kentucky Statutes, be, and the same is, amended and re-enacted to read as follows:

§ 3457. Upon receipt of the engineer's estimate and the report of the street committee or commissioner of public works in cities which have adopted or may adopt the commission form of government as provided in the preceding section, the common council, or the board of commissioners, in cities which have adopted, or may adopt, the commission form of government shall carefully consider and investigate any protest which may have been filed against the acceptance of the work or the confirmation of the engineer's estimate of the cost thereof and shall hear any competent and proper

evidence which may be offered thereon prior to the acceptance of the work and the confirmation of the estimate, and the common council of said board of commissioners, may then accept the work and confirm the engineer's estimate of the cost thereof, or if it be of opinion that the work had not been done in accordance with the contract, or that the engineer's estimate of the cost is incorrect, if it may require the contractor to perfect or complete the work in accordance with the contract, or it may modify the estimate of the cost of the work to conform to the facts, or both. The determination of the common council, or of said board of commissioners shall be conclusive and binding on all parties and shall not be questioned or contested in any court, except on the grounds of fraud or collusion on the part of the common council or the board of commissioners. Upon acceptance of the work and confirmation of the engineer's estimate of the cost thereof by the common council, or said board of commissioners, it shall by ordinance apportion the cost of the work, less any part to be paid by the city or any railway company equally among the owners of the abutting property on both sides of the street improved according to the number of abutting feet owned by them respectively, provided that the entire cost of sidewalks (including curbing and guttering), shall be apportioned among the owners of the property abutting on the side of the street on which the improvement is made, each corner lot having its sidewalk intersection included in its frontage, and shall assess and levy a local tax on the several lots or parcels of abutting property, at a rate per abutting foot sufficient to produce the part of the cost of the improvement apportioned to such abutting lots or parcels of property. The common council or said board of commissioners shall apportion to the city such part of the cost of the improvement as it may be liable for, and shall likewise apportion to any railway company the part of the cost for which it may be liable as provided in section 3450, and shall assess and levy a tax upon all the property, assets

and franchises of such company in the city for its part of such cost.

The lien provided for in section 3450 shall take effect upon the publication of the ordinance making the assessment and levying the tax and shall take precedence over all other liens, whether created prior or subsequent to the publication of such ordinance except State and county taxes, general municipal taxes and prior improvement taxes, and shall not be defeated or postponed by any private or judicial sale, or by any mortgage or by any error or mistake in the description of the property or in the names thereof. Nor shall any error of the proceedings of the common council, or said board of commissioners, exempt any property from the lien for, or payment of, such taxes after the work has been done and accepted as provided in this section; but the common council or said board of commissioners, or the courts in which suits are pending, shall make all corrections, rules and orders to do justice to all parties concerned, and in no event shall the city be liable for any part of the cost of such improvement except as provided in section 3450. Such liens may be enforced as other liens on real estate by action brought in the name of the city or the contractor entitled thereto, and in any such action an allegation in substance that the improvement had been made and the work accepted pursuant to and by ordinances of the city duly passed in accordance with law, shall be a sufficient pleading of the ordinances and proceedings under which the work was done and accepted without setting out the same in full. Any number of lots or parcels of land on which any local tax or installment thereof is made in default, the owners thereof may be joined in one proceeding, and the court shall make all proper and necessary orders for the enforcement and collection of the tax as to the several lots or parcels of land. Where a person is the owner of two or more lots subject to such tax, the court may direct that one or more of such lots be sold

for the whole tax of such person, allowing such person to designate the lots to be sold first, if he so desires and indicates.

§ 7. That section 3458 of the Kentucky Statutes, be, and the same is, amended and re-enacted to read as follows:

§ 3458. The common council or the board of commissioners in cities which have adopted or may adopt the commission form of government, may provide that any such improvement of the streets, alleys, public ways or sidewalks (including curbing and guttering), shall be made on the ten year payment plan; and, thereupon, when any such improvement shall have been completed and accepted and the cost thereof apportioned to, and a tax therefor levied on, the property liable for the payment thereof as provided in the preceding section, the city treasurer shall give notice by one publication in a newspaper of general circulation published in such city, requiring all persons to pay the local taxes levied upon their property within thirty days from the publication of the ordinance accepting the work and assessing the cost thereof. Such local taxes may, at the option of the property owners, be payable in cash, without interest, within thirty days or in ten annual installments as herein provided. Any property owner who desires to exercise such privilege of payment by installments, shall, before the expiration of the said thirty days, enter into an agreement in writing with the city that in consideration of such privilege he will make no objections to any illegality or irregularity with regard to the taxes against his property, and that he will pay the same in the manner herein provided with specified interest. Any property owner entering into such an agreement or who exercises the option to pay in installments, shall be concluded thereby and shall not be permitted to set up any defense whatever against the payment of such taxes. Such agreement shall be filed in the office of the city auditor, who shall file, retain and

record the same as a record of his office. In all cases where such agreements have not been filed within the time limited, the entire tax shall be payable in cash without interest before the expiration of said thirty days. Any such tax not paid within said thirty days shall bear interest at the rate of six per cent. per annum, from the date of the publication of the ordinance assessing and levying the same. If any property, subject to such local tax, be owned by an infant or person of unsound mind or by a life tenant, the agreement herein provided for may be executed by the statutory guardian of such infant or committee or curator of such insane person with the same effect as if executed by a person free from disability, or by the life tenant.

In cases where the option to pay in installments is exercised, the local tax with interest at the rate of six per cent. per annum, shall be payable as follows: One-tenth of the tax, with interest on the entire tax, at the time fixed by law for the payment of general city taxes occurring next after the expiration of the thirty days allowed for the payment in cash, and annually thereafter, one-tenth of the entire tax until the whole is paid. At the end of each six months from the time the first installment of the tax becomes due, interest shall be due and payable for such six months on all unpaid installments of the tax. Provided: That any person may, at any interest-paying period after the fifth annual installment of his tax becomes due, pay the entire assessment of tax against his property with accrued interest. All installments of such special assessments and interest shall be placed upon the tax duplicate with other taxes of persons liable for such special assessments, and the tax bills for such special assessments may, in addition to the other remedies given in this act, be sold and collection thereof enforced in the manner provided by law for collection of municipal taxes. In default of payment of any installment of tax or interest for one month after the same becomes due a penalty of six per cent.

of the installment in arrears shall be added thereto, which shall constitute a like lien as the tax, and all unpaid installments of the tax shall, at the option of the city or any bond holder whose bonds or interest thereon are in default of payment, forthwith becomes due and payable.

It shall be the duty of the treasurer upon order of the common council, or the board of commissioners in cities which have adopted, or may adopt the commission form of government, to promptly apply all money paid in on such installments to the payment of the bonds and coupons which may be issued as provided in the next section in anticipation of the collection of such local taxes. If the fund accumulated from the collection of assessments, interest, and penalties for any particular improvement be more than sufficient to pay the principal and interest of the bond issued in anticipation of such collection, the common council, or said board of commissioners, shall make a ratable reduction from the last installment of each person's assessment. Should there be any deficit, the common council, or said board of commissioners, may provide for payment of same out of the general fund. Failure on the part of the city to collect any such local tax or installment thereof, when due, shall create no liability against such city, but the person entitled to such tax, or the owner of any such bonds, shall have the right to proceed in any court of competent jurisdiction to foreclose the lien for such unpaid assessments recovering interest and costs, and may have the proceeds of the property applied in settlement thereof.

Any railway company, liable for any improvement tax, shall be entitled to the privilege of paying such tax on the installment plan, subject to all the provisions herein provided with reference to the exercise of such privilege by other property owners. The common council or said board of commissioners, may provide that any improvement contemplated

in this act may be paid for in annual installments in any number of years, not exceeding ten, in which event the ordinance ordering the improvement shall specify the number of years in which the improvement shall be paid for, and all proceedings with reference thereto shall be the same as herein provided for payment on the ten year installment plan, except that the necessary change shall be made to conform the payments to the number of years specified by the ordinance, and corresponding changes shall be made in any bonds that may be issued with reference to such improvements as provided in the next section.

§ 8. That section 3459 of the Kentucky Statutes be, and the same is, amended and re-enacted to read as follows:

§ 3459. In order to provide a fund for the immediate payment of the cost of any improvement made on the installment payment plan as provided in section 3458 the common council, or the board of commissioners in cities which have adopted, or may adopt, the commission form of government, may issue and sell improvement bonds in anticipation of the collection of such part of the local taxes assessed and levied therefor as may not be paid within thirty days from the time of the assessment, pledging such taxes and the liens on the property for the payment of the principal and interest of such bonds, and apply the proceeds thereof exclusively to the payment for the particular improvement in anticipation of the assessments for which the bonds are issued. Such bonds shall bear the date of the publication of the assessing ordinance and shall be made payable to bearer. The bonds for each separate improvement shall be numbered consecutively throughout and shall be divided into ten series as nearly equal as possible, the first series including the lowest numbers and so on. The bonds with interest shall be payable at the city treasurer's office, as follows: The first series with accrued interest on all series shall be due and payable one

month after the date on which the first installment of the tax becomes due as provided in the preceding section and the remaining series shall be due and payable one each year annually thereafter for nine years. Interest on all unpaid bonds shall be due and payable semi-annually at the end of each six months from the time the first interest becomes due. The bonds shall be of the denomination of one hundred dollars or its multiple, provided that any odd amount over one hundred dollars or its multiple, may be included in the last bond to mature. No bond shall be issued for less than one hundred dollars unless the total amount for which the bonds are issued for any particular improvement is less than one thousand dollars. All improvement bonds shall have the name of the street, alley, or other public way, or part thereof for the improvement of which they are issued, printed, engraved, or written thereon, and shall state the character of the improvement. They shall bear interest at a rate not exceeding six per cent. per annum from the date of the assessment of the tax, and shall have suitable coupons attached thereto evidencing the semi-annual interest. The bonds and coupons shall be signed by the mayor and countersigned by the treasurer, but the coupons may be signed by lithograph. The clerk shall attest the signatures to the bonds under seal of the city. It shall not be necessary, in such bonds, to recite the steps taken in ordering the improvement or in making the assessment, but it shall be sufficient to make a general reference to such proceedings and to this statute. Such bonds shall be negotiable as inland bills of exchange, and shall be free from all defense by any property owner. Such bonds shall be exempt from all taxation, and shall not be sold for any less than par and accrued interest: Provided, if no offer is made for said bonds equal to pay and accrued interest, after reasonable advertisement, the city shall have the right to turn them over to the contractor in full payment of the contract price of the improvement for which they are issued. Any premium realized from the sale of such bonds

and any penalty collected on delinquent installments of taxes, as in the preceding section provided, shall go into the fund for the payment of such bonds and interest thereon. Said bonds and interest thereon shall be payable exclusively out of funds actually paid to and collected by the city on account of the improvement taxes in anticipation of which the bonds are issued and except as provided in this section the city shall in no event be liable on any such bond except to the extent of funds actually paid to it as above set out. And any and all such bonds shall be subject to payment and redemption at any interest payment period thereof that does not occur within five years from the date thereof. Provided that the city treasurer shall give the owner of the bond proposed to be redeemed at least twenty days notice by registered letter. It shall be the duty of the owner of any bond, subject to redemption, as herein provided, to notify the city auditor of his post office address and any changes therein and the auditor will keep a record of the address opposite, the number of the bond on his records. The notice herein provided for shall be directed to such address, and if no address is given, the notice shall be directed to such owner at his last known address, and the bond specified therein shall bear no interest after the date fixed for its redemption, and this provision shall be shown in substance on the bonds. Mailing such registered letter twenty days before the time fixed for such redemption shall be deemed a compliance herewith. After the issue of such bonds no suit shall lie to enjoin or resist the collection of any assessment or tax in anticipation of which the bonds are issued, and the validity of the same shall not be questioned, but all property owners shall be conclusively estopped and precluded from in any manner assailing the effectiveness or validity thereof. Such bonds shall convey and transfer to the owners thereof all liens, right, title, and interest in and to the assessments, taxes and liens upon the respective lots and parcels of ground, including any railway property liable for said tax

as hereinbefore provided for, which liens shall stand as security for such bonds and coupons until they are paid, with full power to enforce the collection thereof if any such bonds or coupons be not paid on presentation to the treasurer by foreclosure in any court of competent jurisdiction as provided in section 3457. If any lots or lands be sold for the payment of any special tax or assessment thereon, or any installment thereof, or for any general municipal tax, such lots and lands shall not thereby be released from any other special tax or assessment, or installment thereof, existing thereon, unless the same be asserted in the action in which such lands or lots are sold. In any foreclosure suit brought by the city or any bond holder as provided herein it shall not be necessary to make the other bond holders parties, but the proceeds of the suit shall be paid into the city treasury to be applied to the redemption of the matured bonds in the same manner as if the same had been paid without suit. When any such city has been authorized to incur any indebtedness for such purpose at an election by the voters thereof held pursuant to law, either before or after the improvement in question is made, the common council or the said board of commissioners in cities which have adopted or may adopt the commission form of government may to the extent of such authorization, issue and sell bonds of the city in anticipation of the collection of the local taxes levied and assessed for any such improvement as provided in this act pledging the faith and credit of the city in addition to the assessments, taxes and liens herein provided for for the payment of the principal and interest of such bonds. Such bonds shall constitute an indebtedness of the city for the payment of which with interest the city shall be liable in its corporate capacity. Such bonds shall be issued and sold in all respects as provided by law with reference to the issue and sale of the bonds by the city, and the common council or said board of commissioners shall provide for the collection of an annual tax sufficient to pay the interest on such bonds and to create a

sinking fund for the payment of the principal thereof within the period of time not exceeding ten years provided by the ordinance for the payment of the local taxes, in anticipation of which such bonds are issued, provided that in any year in which the collection from such local taxes are sufficient to pay the interest on such bonds and to provide the necessary sinking fund, it shall not be necessary for the city in such year to collect any tax for that purpose; and in any year it shall be necessary for the city to collect only such an amount of general taxes as will be sufficient when added to the local taxes collected for such improvement to meet the requirements of this act. Upon payment by the city of any such bond the city shall become the owner thereof, and be subrogated to all the rights of the bond holders with reference thereto. Thereafter, all collections of the local taxes, in anticipation of which such bonds are issued shall belong to the city.

§ 9. All laws or parts of laws in conflict herewith are hereby repealed.

§ 10. Whereas, there is a necessity for the immediate paving and improvement of streets in various third class cities, an emergency is declared to exist and this act shall take effect from and after its passage.

The question being taken on the passage of said House Bill 61, as amended by way of substitute therefor, it was decided in the affirmative.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Peter Ampler	C. H. Bays	Frank J. Brown
H. F. S. Bailey	G. G. Brashear	W. H. Brown

R. A. Cook
A. S. Cooper
W. P. Cropper
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
L. L. Embrey
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
Wm. J. Kuh
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
G. B. Moores
B. F. McAtee
W. J. McMurray
L. T. Neat
C. B. Nichols
A. J. Oliver
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
R. C. Tartar
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
M. O. Wilson
E. S. Wood

—74

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Spahn called up for consideration from the Clerk's desk a joint resolution of the following title, viz.:

S. Res. 9. Joint resolution paying B. M. Hershberg for services.

Whereas, during the illness of our Cloakroom Keeper for several days, during which time he was unable to attend

his duties, and Benjamin Marks Hershberg attended the duties of this place in a very pleasing manner to the members of this Senate; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, that the said Benjamin Marks Hershberg be and is hereby allowed compensation at the rate of three dollars per day for the time he served in this capacity, and that thirty-six dollars be and the same is hereby appropriated out of the money in the State treasury, not otherwise appropriated.

The Auditor of Public Accounts is hereby directed to draw his warrant upon the State Treasurer for the amount stated in this resolution in favor of the said Benjamin Marks Hershberg, and that the Clerk of the Senate is hereby directed to send an attested copy of this resolution to the Auditor, upon its passage by this General Assembly.

Mr. Radcliffe moved that said resolution be referred to the Committee on Appropriations.

Said motion was agreed to.

Said resolution was referred to the Committee on Appropriations.

Mr. Vance offered the following resolution, viz.:

Whereas, at the 1912 session of the General Assembly an act was passed ceding jurisdiction of Kentucky to the United States over so much land in Edmonson County as might be necessary for the purpose of establishing and maintaining a National Park, and

Whereas, the purpose of said act was to aid in converting

what is known as the Mammoth Cave estate into a National Park, and

Whereas, it is the sense of the House of Representatives of the General Assembly of Kentucky that such National Park ought to be established, and that it is the desire of the people of this State that it should be established; therefore,

Be it resolved by the House of Representatives of the General Assembly of Kentucky:

That the members from Kentucky in the National Congress are requested to urge with diligence the establishment of such National Park;

But whereas, there are other caves of great beauty and wonderful formation, in the same vicinity of Kentucky as Mammoth Cave, and

Whereas, no survey has ever been made showing the exact location of such caves and their relationship to Mammoth Cave;

Therefore, be it further resolved, that the members from Kentucky in the National Congress be urged to have a survey made by the United States Government so as all the caves in the immediate vicinity of Mammoth Cave may be included in such National Park when established.

Be it further resolved, that a copy of these resolutions be forwarded to each member from Kentucky in the National Congress.

Said resolution was adopted.

Mr. Elliston offered the following resolution, viz.:

Resolution for the payment to Verda M. Wiggins-Henderson, for services rendered as teacher Keefer School No. 11 in Educational Division No. 3 in Grant County, Kentucky.

Whereas, it appears that Verda M. Wiggins-Henderson was the holder of a third class common school teacher's certificate on the 25th day of June, 1910, and on which date she entered into a contract in writing with the board of education to teach Keefer School No. 11 in Educational Division No. 3 in Grant County, Kentucky, for a term of six months.

And whereas she entered upon her duties as such teacher under said contract in said district and taught said school for a period of five weeks, including the institute week, which week was spent at the county teachers' institute as provided for by law;

And whereas her third class certificate under the law only entitled her to teach in a school with fifty-five pupils enrolled, there appeared after her employment, an enrollment of fifty-nine pupils, and on which account she was refused her pay as such teacher, by Mr. D. H. Starnes, County Superintendent of Public Instruction for said county, and was compelled to surrender her employment in said school, and for which five weeks she has received no compensation;

And whereas it is the sense of General Assembly that Verda M. Wiggins-Henderson should be paid for her aforesaid five weeks' service as teacher in said school; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That there be appropriated and allowed to Verda M. Wiggins-Henderson the sum of $50.00 and the Auditor of

Public Accounts is hereby directed to draw his warrant upon the Treasurer for said amount.

Ordered that said resolution lie on the clerk's desk.

Pursuant to resolution passed by this House, February 14, 1916, providing for the selection of three members of a committee by J. D. Pumphrey and three members thereof by W. B. Harvey and these to select a seventh member of said committee, which committee so chosen are to investigate the charges and counter charges made upon the floor of this House by said Pumphrey and Harvey on Friday the 11th inst., I, W. B. Harvey, select the following members of the House of Representatives of the General Assembly of Kentucky to serve on said committee, viz.: H. F. S. Bailey of Hopkins County, J. T. Roach of Graves County, and Richard Radcliffe of Henry County.

In compliance with the resolution passed by this House on February 14th, I now name the following members of this body on said committee: Hon. David S. Richardson of the Thirtieth District, from Meade County; the Hon. Odie Duncan of the Thirteenth District, from the county of Henderson, and the Hon Harry J. Meyers of the Eighty-second District, from the county of Kenton.

Respectfully,
J. D. PUMPHREY, Representative.

Upon a call of the committee to which the same had been referred bills of the following titles were reported, viz.:

Mr. Minor, of the Committee on Appropriations:

H. B. 424. An act for the benefit of the Kentucky Normal and Industrial School for colored persons.

By Mr. Young, of the Committee on County and City Courts:

S. B. 6. An act to amend section 14 of an act entitled, "An act creating fiscal courts in the several counties in this Commonwealth, etc."

By Mr. Oliver, of the Committee on Codes of Practice:

H. B. 411. An act to amend section 490 of the Civil Code of Practice concerning the sale of real property and to authorize the confirmation of certain sales heretofore made.

By Mr. Ampler, of the Committee on Immigration and Labor:

H. B. 133. An act permitting proprietors of repair shops to sell articles upon which charges have not been paid.

By L. M. Smith, of the Committee on Circuit Courts:

S. B. 46. An act to regulate the times of holding the terms of the circuit court in the twentieth judicial district.

By same:

H. B. 374. An act to regulate the time of holding the terms of circuit court in the 13th judicial district and the length of said term and declaring an emergency.

By Mr. McMurray, of the Committee on the Judiciary:

H. B. 124. A bill to pay all persons having been summoned as grand jurors and not accepted the same as other jurors, and also to pay persons summoned to testify before the grand jury.

By same:

H. B. 430. An act to require corporations, firms, partnerships or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day same is payable under the law to the said employe.

By same:

H. B. 371. An act to amend section 1697, subdivision 1 of article 15, chapter 46 of the Kentucky Statutes, Carroll's edition of 1909, entitled, "Executions," as amended by chapter 120 of the Acts of the General Assembly of Kentucky of 1910.

By same:

H. B. 447. An act to require all conveyances of real property to state therein the true consideration, and providing a penalty for a violation of the act.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 53. An act to authorize the guardian of an infant and the committee of an idiot or lunatic to lease the real estate of such infants, idiots or lunatics for mining purposes.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute for said House Bill 53 be printed.

By same:

H. B. 249. An act to amend and re-enact subsection 4

of section 1277a, Kentucky Statutes, edition 1915, relating to penalties for the use of cigarettes.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute for said House Bill 249 be printed.

By same:

S. B. 139. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 436. An act to amend section 6 of the act approved March 23, 1910, entitled: "An act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth classes, and to enable boards of education or boards of schools trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy."

By Mr. Coleman, of the Committee on Public Roads and Highways:

H. B. 368. An act to amend section 30 of an act entitled, "An act defining public roads; providing for their establishment, regulation, use and maintenance and creating the office of county road engineer and prescribing the duties thereof," approved March 23, 1914.

With an amendment thereto.

By Mr. Cropper, of the Committee on Public Health:

H. B. 435. An act to provide means for the analysis and examination, investigation, publication, and other necessary expenses connected with the carrying out of chapter 4 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1908, entitled, "An act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof." And appropriating and limiting the amount of money to be paid from the treasury of the Commonwealth for such work.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute for said House Bill 435 be printed.

By Mr. Pickett, of the Committee on Railroads:

H. B. 375. An act requiring railroad companies, persons or associations owning or operating a line of railroad in or through this State to place screens over all windows of passengers coaches and providing a penalty for the violation thereof.

With an amendment thereto.

Mr. Hutchcraft, of the Committee on Redistricting, Judicial, which committee originated a bill entitled:

H. B. 497. An act creating the Thirty-seventy Judicial District of Kentucky, fixing the time of holding courts thereof, providing for the appointment of an election of a circuit judge and Commonwealth attorney and changing the Thirty-first and Thirty-second Judicial Districts of Kentucky, so as to

provide for said Thirty-seventh District and fixing the time for holding the courts in said district and in the Thirty-first and Thirty-second Districts.

By Mr. Vance, of the Committee on Suffrage and Elections:

H. B. 318. An act to amend section 10 of an act entitled, "An act to amend an act, entitled 'An act to further regulate elections', which became a law March 11, 1898, the objections of the Governor to the contrary notwithstanding," which became a law October 24, 1900, said section being subsection 10 of section 1596a, Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 73. An act fixing the time of holding the election of school trustees throughout this Commonwealth.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 263. An act to amend section 2557a of the Kentucky Statutes, 1915 edition, relating to the sale of intoxicating liquors.

H. B. 130. An act to amend section 145 of the Constitution.

H. B. 362. An act to amend section 1401 of the Kentucky Statutes, Carroll's edition, relating to descent and distribution.

H. B. 366. An act to amend paragraph 3 of article 8 of section 2729 of Carroll's 1914 edition of the Kentucky Statutes.

H. B. 183. An act to prohibit the buying or selling of patients by physicians or surgeons or other persons, and to define what shall constitute the buying or selling of patients and to fix the punishment for violation of this act.

H. B. 104. An act to regulate and control fraternal benefit societies.

With an amendment thereto.

S. B. 38. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition 1909, relating to revenue and taxation.

By Mr. Minor of the Committee on Appropriations:

H. B. 250. An act authorizing the Commonwealth of Kentucky to pay the indebtedness created against the property of the Western Normal School by the provisions of section 4535c, Kentucky Statutes, and authorizing the Board of Regents of said school to pay a part of said indebtedness out of the annual appropriation made for the support of said school, and appropriating money for said purpose.

H. B. 312. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto and providing a census of adult illiterates.

H. B. 372. An act amending section 367a of article 7 of chapter 2 of title 9 of the Civil Code of Practice.

By Mr. Young, of the Committee on County and City Courts:

H. B. 334. An act to amend and re-enact section 1731, and to repeal section 1732 of article IV. of chapter 47, Kentucky Statutes, Carroll's Edition, 1915, relating to fees that may be charged by county judges, city or police judges and justices of the peace.

With an amendment thereto by way of a substitute therefor.

By Mr. Oliver, of the Committee on Codes of Practice:

H. B. 151. An act to amend section 694 of the Civil Code of Practice.

H. B. 44. An act amending paragraph 1 of section 606 of Carroll's 1913 edition of the Kentucky Civil Code of Practice.

H. B. 123. An act providing for appeal in all criminal cases from the judgment of county, police and justice of the peace courts to the circuit courts.

With an amendment thereto.

H. B. 358. An act to amend section 93 of the Civil Code.

H. B. 260. An act for the benefit of graded schools under special charters and having an endowment fund.

S. B. 111. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

H. B. 402. An act to provide for temperance day in the public and high schools of the Commonwealth of Kentucky, and the manner in which programmes shall be furnished and placards, posters, mottoes, epigrams, etc., exhibited.

H. B. 299. An act to amend chapter 113, article VIa., Carroll's Kentucky Statutes, 1915 (page 133, Act of March 24, 1908), districts, trustees, teachers, taxation.

H. B. 386. An act to amend section 3462 of subdivision IX. of article IV. of chapter 89 of Kentucky Statutes, Carroll's edition 1915, being a part of the act of June 14, 1893, relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office, meetings and quorum of the boards of education of said cities of the third class.

H. B. 417. An act to prevent deception and misrepresentation in the sales of metallic commodities, and providing a penalty therefor.

H. B. 344. An act prescribing the qualifications for judges of the county court.

H. B. 401. An act to regulate the licensing of vehicles operating between two or more municipalities within the Commonwealth of Kentucky.

S. B. 129. An act to provide for a State flag for the Commonwealth of Kentucky and to provide for the design thereof.

H. B. 57. An act to further regulate railroads and to provide for the safety of employees on trains.

H. B. 207. An act to regulate liability of common carriers upon "intrastate" shipments.

H. B. 12. An act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating or controlling railroads within the boundary of this State in part or in whole.

H. B. 416. An act to amend section 1, subdivision 4, article 12, chapter 22, of an Act of the General Assembly of 1906, being "An act relating to revenue and taxation," which is now section 4224 of the Kentucky Statutes.

H. B. 394. An act to empower the State Board of Education of Kentucky to issue certificates to teach to graduates of Normal Schools of Kentucky other than institutions supported by the State of Kentucky, and repealing all laws in conflict therewith.

H. B. 483. An act repealing section 4385, Kentucky Statutes, Carroll's edition of 1915, and re-enacting same, so as to give the State Superintendent of Public Instruction authority to appoint additional clerks and stenographers for the State Department of Education, and providing for the payment of said appointees out of the State school fund.

H. B. 409. An act to require abutting property owners to cut the shrubbery and weeds on rights of way of turnpikes or macadamized roads, in this Commonwealth.

H. B. 431. An act to provide for the advertisement of contracts on State aid road work.

With an amendment thereto.

H. B. 418. An act to amend Carroll's edition, Kentucky Statutes, 4303 (17).

The provision of the Constitution as to the second reading of said bills at length being dispensed with they were read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Duncan moved that the rules be suspended and that

House Bill 337 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 337. An act to amend an act entitled "An act concerning notaries public," carried in Session Acts of 1891, 1892 and 1893, as chapter 191 and page 850 thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1 in the following words, "The Governor shall nominate, and by and with the advice and consent of the Senate appoint, as many notaries public as to him may seem necessary, who shall hold their respective offices for a term of four years," also section 1, in the following words, "He shall fill vacancies in that office occurring in the recess of the Senate, which appointment shall expire at the end of the next session of the Senate," be and hereby are repealed, and enacting in lieu thereof the following words:

"Section 1. The Governor may appoint as many notaries public as to him may seem necessary, who shall hold their respective offices for a term of four years. Any person desiring to be appointed a notary public shall make application to the Governor in writing and said application shall be approved by the circuit judge, circuit clerk, county judge, county clerk, or magistrate, or members of the General Assembly of the county of the residence of said applicant. Provided, however, that no officers named in this section shall charge or

accept any fee for approving any such application. No person shall be appointed a notary public who is not twenty-one years of age, a resident of the county from which he makes his application, of good moral character and capable of discharging the duties imposed upon him by this act, and the endorsements of the officers referred to in this section shall so state;" so that when amended, said section shall read in full as follows:

§ 1. The Governor may appoint as many notaries public as to him may seem necessary, who shall hold their respective offices for a term of four years. Any person desiring to be appointed a notary public shall make application to the Governor in writing, and said application shall be approved by the circuit judge, circuit clerk, county judge, county clerk or magistrate of the county of the residence of said applicant. Provided, however, that no officers named in this section shall charge or acept any fee for approving any such application. No person shall be appointed a notary public who is not twenty-one years of age, a resident of the county from which he makes his application, of good moral character and capable of discharging the duties imposed upon him by this act, and the endorsements of the officers referred to in this section shall so state.

§ 2. Whereas the volume of applications for appointment as notary public is very large at present and the time of the Senate is consumed thereby in advising and consenting to said appointments, an emergency is hereby declared to exist and this enactment shall take effect from and after its approval by the Governor.

Mr. Duncan offered the following amendment to said bill, viz.:

Amend House Bill 337 by adding in line 28 after the word "magistrate" the words "members of the General Assembly."

Said amendment was agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
Glover H. Cary
A. S. Cooper
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
Wm. Gearheart
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
G. B. Moores
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
Geo. L. Pickett
A. B. Pieratt
J. D. Pumphrey
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn

Thomas Spurrier	J. Wood Vance	M. O. Wilson
Ed. D. Stone	J. W. Wall	E. S. Wood
R. C. Tartar	John S. Webb	Louis E. Yewell
Robt. R. Treadway	W. M. Webb	E. G. Young
F. C. Trivette	Frank M. White	
D. B. Tyra	J. D. Wills	—85

Resolved that the title thereof be as aforesaid.

Mr. Duncan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Greene moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Greene moved that this House do now take a recess for one hour to reconvene at 1:30 p. m.

Mr. Perry by way of amendment to said motion moved to fix the time for reconvening at 2:30 p. m.

Mr. John S. Webb moved by way of an amendment to said motion, to fix the time for reconvening at 2:00 p. m.

Mr. Spahn moved to lay said motion and all pending amendments thereto on the table.

Said motion was agreed to.

Mr. Radcliffe moved that the rules be suspended and that Senate Bill 131 be taken from the orders of the day and placed upon its passage.

By way of an amendment to said motion, Mr. W. M. Webb moved that the rules be suspended, and that Senate Bill 131 be made a special order for Thursday next at 11 o'clock a. m.

Said last motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 27. An act making it a misdemeanor to abandon or wilfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances.

Mr. Hobbs moved that said bill be recommitted to the committee on criminal law with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 143. An act to repeal section 1649b of Kentucky Statutes, known as the anti-sweating law.

Mr. William Duffy moved that said bill be recommitted to the Committee on Criminal Law.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 92. An act to amend the Kentucky Statutes, article 10, section 4464, relating to graded common schools, being

the same as chapter 12, section 155 of the common school laws of Kentucky.

Mr. T. R. Jones moved that said bill be recommitted to the Committee on Education with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 172. An act to amend subsection 8 of section 4489 chapter 113 of Kentucky Statutes relating to the issuing of school improvement bonds.

Mr. White moved that said bill be recommitted to the Committee on Education with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 150. An act to further amend sections 124 and 143 of an act entitled "An act providing for the creation and regulation of prive corporations," which became a law April 5, 1893, as amended by an act entitled "An act to amend an act entitled, 'An act for the creation and regulation of private corporations,'" being an act relating to the subject of insurance and the transaction of the business of life or casualty insurance or both life and casualty insurance upon the co-operative or assessment plan, which became a law on June —, 1910, and is chapter 103 of the Acts of 1910, and which sections are sections 661 and 680 of the Kentucky Statutes, Carroll's edition of 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 661 of the Kentucky Statutes, Carroll's edition of 1915, being section 124 of an act, "An act providing for the creation and regulation of private corporations," which became a law April 5, 1893, as amended by chapter 103 of the Acts of 1910, which became a law June ....., 1910, and is entitled, "An act to amend an act entitled, 'An act for the creation and regulation of private corporations,'" being an act relating to the subject of insurance, and the transaction of the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan, be amended by striking therefrom the following words and figures, to-wit:

"And have each paid in five per centum on the amount of insurance severally subscribed for, in cash, to be invested in securities in which insurance companies are allowed by law to invest their capital, and deposited with the Treasurer of the Commonwealth in trust for the beneficiaries; and the emergency fund has been deposited as hereinafter provided;"

And by inserting in lieu thereof the following words:

"And when said corporation shall have a guarantee fund of one hundred thousand dollars for the protection of its policy holders or members."

And by adding after the words, "and is authorized to transact business" at the end of section 661 as it appears prior to this amendment, the following words and figures, to-wit:

"2. Such guarantee fund may be raised by the issue and sale of guarantee fund certificates in denomination of not

less than five dollars nor more than one thousand dollars each; and shall not be sold for less than the par value thereof, which shall be fully paid in when issued. The said one hundred thousand dollars, realized from the sale of said guarantee fund certificates, shall be invested in securities in which insurance companies are allowed by law to invest their capital or funds, and said securities shall be deposited with the Treasurer of this Commonwealth, to be held in trust for the benefit and protection of the members or policy holders of such corporation. The holders or owners of said guarantee fund certificates shall be entitled to receive annual dividends not exceeding eight per centum thereon. Provided, however, that no dividends are payable except out of the corporation's accumulatd surplus fund, if any; and provided, also, that no surplus fund shall be deemed to exist for the purpose of paying said dividends unless the corporation's two per centum emergency fund is intact. Said guarantee fund certificate shall be issued with a proviso thereto, specifying that the corporation reserves the right at any dividend-paying period to redeem the certificates issued, at their par value. Said corporation, however, can only use its surplus funds, if any, for the purpose of redeeming said guarantee fund certificates, and no part of the emergency fund can be used for that purpose. The guarantee fund certificates shall have printed notice thereon giving the fixed date of the annual meeting of the members or policy holders of the corporation, and each guarantee fund certificate issued shall entitle the holder thereof to one vote on any business matter at any meeting of the members or policy holders of the corporation; Provided, however, that the corporation shall only isue the guarantee fund certificates in such denomination and number that the total votes represented by all guarantee fund certificates shall not exceed one-third of the total votes of all members or policy holders of the corporation.

"3. Insurance companies or associations heretofore

organized and incorporated under the laws of this State, and now doing the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan, may at any meeting of its members or policy holders provide for a guarantee fund of one hundred thousand dollars; subject, however, to all the provisions of this act relating to insurance companies or associations hereafter organized and incorporated under the laws of this State."

So that said section, when amended, shall read as follows:

"§ 661. 1. Business, When May Be Commenced.—Upon filing in the office of the commissioner the articles of incorporation required, together with the sworn statement by three of said incorporators that at least two hundred persons, eligible under the proposed laws of such corporation, association or society to membership therein, have in good faith made application in writing, for membership, the same shall be referred to and examined by the Attorney General, and if found by him to be conformable to the requirements of this law, and not inconsistent with the laws of the State, he shall certify accordingly and return the same, and, with his certificate of such conformity, to said commissioner, who shall cause the said articles, with the certificate of the Attorney General, to be recorded in a book to be kept for the purpose, and shall deliver to such corporation, association or society a certified copy of the papers so filed and recorded in his office, and a certificate of the said Attorney General, together with the license of said commissioner to such corporation, association or society, to engage in the business proposed in said declaration; and upon such certified copy and license being filed in the office of the clerk of the county where the association is to be located, the said incorporators, and those that may thereafter become associated with them, or their successors, shall be constituted a body politic and corporate, and lawfully entitled to commence its business when at least two hundred person have

subscribed, in writing, to be insured therein in the aggregate amount of at least two hundred thousand dollars, and when said corporation shall have a guarantee fund of one hundred thousand dollars for the protection of its policy holders or members; and the Commissioner of Insurance shall have certified that it has complied with the provisions of this law and is authorized to transact business.

"2. Such guarantee fund may be raised by the issue and sale of guarantee fund certificates in denomination of not less than five dollars nor more than one thousand dollars each; and shall not be sold for less than the par value thereof, which shall be fully paid in when issued. The said one hundred thousand dollars, realized from the sale of said guarantee fund certificates, shall be invested in securities in which insurance companies are allowed by law to invest their capital or funds, and said securities shall be deposited with the Treasurer of this Commonwealth, to be held in trust for the benefit and protection of the members or policy holders of such corporation. The holders or owners of said guarantee fund certificates shall be entitled to receive annual dividends not exceeding eight per centum thereon. Provided, however, that no dividends are payable except out of the corporation's accumulated surplus fund, if any; and provided, also that no surplus fund shall be deemed to exist for the purpose of paying said dividends unless the corporation's two per centum emergency fund is intact. Said guarantee fund certificates shall be issued with a proviso thereto, specifying that the corporation reserves the right at any dividend-paying period to redeem the certificates issued, at their par value. Said corporation, however, can only use its surplus funds, if any, for the purpose of redeeming said guarantee fund certificates, and no part of the emergency fund can be used for that purpose. The guarantee fund certificates shall have printed notice thereon giving the fixed date of the annual meeting of the members or policy holders of the corporation, and each guarantee fund certificate

issued shall entitle the holder thereof to one vote on any business matter at any meeting of the members or policy holders of the corporation: Provided, however, that the corporation shall only issue the guarantee fund certificates in such denomination and number that the total votes represented by all guarantee fund certificates shall not exceed one-third of the total votes of all members or policy holders of the corporation.

"3. Insurance companies or associations heretofore organized, and incorporated under the laws of this State, and now doing the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan, may at any meeting of its members or policy holders provide for a guarantee fund of one hundred thousand dollars; subject, however, to all the provisions of this act relating to insurance companies or associations hereafter organized and incorporated under the laws of this State."

§ 2. That section 680 of the Kentucky Statutes, Carroll's Edition of 1915, being section 143 of an act entitled, "An act providing for the creation and regulation of private corporations," which became a law April 5, 1893, as amended by chapter 103 of the Acts of 1910, which became a law June ....., 1910, and is entitled, "An act to amend an act entitled, 'An act for the creation and regulation of private corporations,'" being an act relating to the subject of insurance, and the transaction of the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan, be amended by striking therefrom the words, "ten thousand dollars," and inserting in lieu thereof, the words, "one hundred thousand dollars," so that said section as amended shall read as follows:

"Section 680. Foreign Companies, When Authorized to

Do Business—Fraternal Societies Exempt—Companies Law Applies to.—Any corporation organized under the laws of any other State of the United States, for the purpose of furnishing life or accident insurance upon the assessment plan, or carrying on the business of life or accident insurance upon the assessment or co-operative plan, shall receive from the Commissioner of Insurance of this State a certificate that it has complied with the provisions of the law, and is authorized to do business in this State whenever such corporation shall deposit with him a certified copy of its charter or articles of incorporation; a copy of its statement of business for the year ending the 31st day of the next preceding December, sworn to by the president and secretary, or like officers thereof, setting forth the number and amount of certificates of membership or policies in force, and a detailed account of its expenditures, income, assets and liabilities; and also a certificate sworn to by the president and secretary, or like officers thereof, setting forth that it has paid, and has the ability to pay, its certificates or policies to the full limit named therein; that its certificates or policies are payable only to beneficiaries having a legal interest in the life of the member or insured; that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership or policy theretofore issued, if any, or thereafter to be issued to residents of this State, to the full amount or limit therein named; a certificate from the Insurance Commissioner, or other like officer charged with the duty of executing or enforcing the execution of the insurance laws of its own State, certifying that it is legally entitled to do business in its home State; and that he holds on deposit, for the benefit of policy holders of such company, good securities, in which insurance companies are allowed by law to invest their capital, amounting to not less than one hundred thousand dollars; but any company not having such deposit in the State where it was organized, may make such deposit in this State in the manner and subject to the provisions of this subdivision applicable to companies organized under the laws of this State.

A copy of the application for membership or insurance, and of each form thereof, if more than one form is used; a copy of the form of certificate of membership or policy and of each form thereof, if more than one form is used, a copy of the constitution and by-laws, and of each and every addition thereof, which must show that all indemnities to beneficiaries are in the main provided for by assessments upon all surviving members. The certificate of authority herein authorized may be withheld from any such corporation or association, whenever it may appear to the satisfaction of the commissioner that the affairs and business of such corporation or association are in an unsound condition, or its busines not carried on within the limits and restrictions of its organic law, or that any of the terms, conditions or by-laws have been or are being violated, or that said corporation shall refuse to permit a full examination of its affairs to be made when deemed necessary by the commissioner.

"The provisions of the foregoing sections as amended shall not apply to fraternal orders or societies, and shall only apply to corporations, associations and societies organized under the laws of this State, and to foreign corporations, associations, and societies coming into this State for the purpose of doing the business of life or casualty insurance, or both life and casualty insurance upon the co-operative plan."

§ 3. All laws and parts of laws now in force which conflict with the provisions of this act are hereby repealed.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. C. G. Hobbs	William A. Perry
H. F. S. Bailey	A. B. Holland	Geo. L. Pickett
C. H. Bays	David J. Howard	A. B. Pieratt
Chas. D. Bratcher	J. M. Howell	J. D. Pumphrey
Frank J. Brown	Chas. L. Hunter	Harry P. Purnell
W. H. Brown	R.B.Hutchcraft,Jr.	Richard Radcliffe
Henry A. Cannon	J. M. Johnson	D. S. Richardson
Glover H. Cary	T. R. Jones	John T. Roach
A. S. Cooper	H. Clay Kauffman	Joe Schneider
S. B. Coleman	Wm. J. Kuh	Claude B. Smith
W. P. Cropper	W. T. Lasley	John W. Snider
R. T. Crowe	M. E. Lee	Adam Spahn
S. C. Dobbs	Dr. J. E. Lilly	Thomas Spurrier
Jas. R. Dorman	Dr. C. W. Mathers	Ed. D. Stone
Thomas A. Dover	Jacob Metzger	R. C. Tartar
W. E. Dowling	Harry J. Meyers	D. B. Tyra
William Duffy	Claude D. Minor	J. Wood Vance
Odie Duncan	S. Montgomery	J. W. Wall
J. M. Elliston	G. B. Moores	W. M. Webb
T. T. Gardner	B. F. McAtee	J. D. Wills
Wm. Gearheart	E. B. McGlone	M. O. Wilson
W. G. Gooch	W. J. McMurray	E. S. Wood
Frank C. Greene	C. B. Nichols	Louis E. Yewell
L. B. Hamilton	S. Mazyck O'Brien	E. G. Young

—72

Resolved that the title thereof be as aforesaid.

Mr. T. R. Jones moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 145. An act to permit corporations organized for the purpose of transacting the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan, to re-incorporate as life insurance companies on the mutual or stock plan; and providing means whereby, and the conditions on which, such re-incorporation may be effected.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any corporation organized for the purpose of transacting the business of life or casualty insurance, or both life and casualty insurance upon the co-operative or assessment plan, heretofore incorporated under the laws of the Commonwealth of Kentucky, may, with the consent of at least three-fourths of its directors, become a life insurance company, upon the mutual or stock plan, subject to the laws of this Commonwealth applicable to such corporations, and those prescribing how articles of incorporation shall be amended, and upon complying with the following conditions and regulations, to-wit:

Notice of the proposal so to change the form of the corporate organization, and of a meeting of the members, policy holders or certificate holders of the corporation, held for the purpose of taking action thereon, shall be given by publication stating the time, place and object of such meeting once a week for three consecutive weeks in some newspaper of general circulation, published in the city or county in which said corporation has its principal place of business.

At such meeting there shall be required, in order to effect the change proposed, the affirmative vote in person, or the consent in writing, of at least two-thirds of all the members of the corporation, and the concurrence of at least three-fourths of the directors. At such meeting, if the proposed change be approved, the amount of the capital stock of the corporation shall be fixed within the limits prescribed by the laws of this Commonwealth for such corporations, and the par value of the shares and the number of shares into which the capital stock is to be divided shall also be determined.

The members, policy holders, or certificate holders of such corporation shall have the first right to subscribe for said stock, subject to such equitable regulations as the directors may prescribe, but all subscriptions for shares of stock must be made and paid for in cash and at a price not less than par.

Upon the completion of its reorganization as a stock company, the assets, if any, of such corporation, and its liabilities, shall be and become the assets and liabilities of the stock company, except so far as herein otherwise provided.

The said company shall not be entitled to do any business as a stock corporation until the amount of stock determined as herein provided, and as authorized by the laws of this Commonwealth, shall have been subscribed and paid for, at not less than par, and the provisions of the law concerning such corporations shall have been complied with, and the proceeds of said capital stock to the amount of at least one hundred thousand dollars shall have been invested in securities such as those in which insurance corporations are permitted by the laws of this Commonwealth to make investments, and such securities to the amount of at least one hundred thousand dollars, shall have been deposited with the proper officials of this Commonwealth, to gurantee the payment of policies issued by said company, and until the In-

surance Commissioner shall have, upon request, valued the assets of the company and its outstanding policies, and shall have given his certificate that the admitted assets of said company, including its capital stock, are sufficient to provide reserve upon all outstanding assessment policies, valued as hereinafter provided, over and above all other bona fide debts of said company and claims against it, and that said corporation has complied with all of the laws of this Commonwealth regarding life insurance companies upon the stock or mutual plan, as the case may be.

Any corporation, so re-incorporated as a life insurance company on the mutual or stock plan, shall, unless a higher method of valuation be provided for in its policies or certificates of membership previously written, value each of its assessment policies or certificates of membership previously written, as an ordinary industrial life policy in force for one year before the date of re-organization (regardless of the length of time actually in force), according to the methods provided for such valuation by the laws of this Commonwealth.

Upon the receipt of such certificate from the Insurance Commissioner, the stock holders may elect from among themselves directors in accordance with the articles of incorporation and by-laws of the company, and the laws of this Commonwealth, to hold office until the ensuing annual meeting, and until their successors shall have been duly elected and qualified, and the directors so elected shall have and be vested with, and authorized to exercise, all the rights and powers proper to be exercised by the directors of such life insurance companies upon the mutual or stock plan, as the case may be, under the laws of this Commonwealth.

The Insurance Commissioner, upon request, and upon the payment to him of the usual fees therefor, shall ascertain and

certify the proportionate interest in the assets of the co-operative or assessment corporation before its re-organization as a stock company of each of the members of said co-operative or assessment company, who may refuse, within six months after notice, to assent to the change of said company into a stock or mutual company, but the interest of no member so dissenting shall be valued at more than his proportionate part of the accumulated emergency fund, to be determined by the Insurance Comissioner as of the date of the re-organization of the co-operative or assessment company as a life insurance company upon the mutual or stock plan, as the case may be, and the amount of the interest of every such dissenting member or policy holder or certificate holder shall be paid over to such dissenting members or policy holders or certificate holders, respectively, on demand within thirty days after ascertaining as aforesaid, and upon the payment or tender to them, respectively, of the amount of interest so ascertained and certified, the membership of such dissenting member or policy holder or certificate holder shall cease and determine, and out of the remainder of the assets in excess of the sum required for the compensation of dissenting members, policy holders or certificate holders, as aforesaid, there shall be deposited with the State Treasurer of the Commonwealth of Kentucky, under the laws of this Commonwealth providing for the deposit of legal reserve, a sum equal to such reserve as computed by the Insurance Commissioner, in addition to the deposit of one hundred thousand dollars, hereinabove provided for.

Any surplus that may be found to exist in the assets of such corporation over and above all its liabilities, including the legal reserve for all outstanding policies in force, as ascertained and certified by the Insurance Commissioner, as hereinabove provided, at the date of its re-organization as a stock or mutual company, as the case may be, shall be held as a fund for the security of the policy holders of the company, and shall, under no circumstances, pass to the ownership of the

stockholders or members of the re-organized stock or mutual company, as the case may be, or be distributed among them, or be used or encroached upon for the payment of dividends upon the capital stock, but such surplus may be used to pay the losses incurred by such re-organized company upon policies written upon the co-operative or assessment plan, prior to its re-organization.

Such assessment policies and all rights and liabilities attached thereto, and all the powers and obligations of the company with reference to the same shall survive as long as said policies shall remain in force, except that such policies shall thereafter be considered as ordinary life policies, as hereinabove provided.

The re-incorporated company shall not be entitled to levy any further assessments even though such rights may have been previously reserved in the policy, but shall be entitled to collect as premiums the stipulated payments of dues provided for in said policies.

If the articles of incorporation of the re-incorporated company upon the mutual or stock plan, as the case may be, shall so specify, then such re-incorporated company may write any sort of business permitted to life insurance companies on the mutual or stock plan by the laws of this Commonwealth as they now are or may hereafter be amended, and may also write life, health and accident insurance on the industrial plan; but, if such companies shall write life, health and accident insurance in one contract on the industrial plan, they shall specify in their policies what part of the premium is for the life and what part is for the health and accident elements, and also make separate reports to the Insurance Commissioner of each class of business, in addition to the seperate reports required by law of life insurance companies writing life and accident business on the stock or mutual plan.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. S. Hall	S. Mazyck O'Brien
H. F. S. Bailey	L. B. Hamilton	A. J. Oliver
C. H. Bays	W. C. G. Hobbs	William A. Perry
Chas. D. Bratcher	A. B. Holland	Geo. L. Pickett
Frank J. Brown	David J. Howard	A. B. Pieratt
W. H. Brown	J. M. Howell	D. S. Richardson
Henry A. Cannon	Chas. L. Hunter	John T. Roach
Glover H. Cary	R.B.Hutchcraft,Jr.	Joe Schneider
A. S. Cooper	J. M. Johnson	E. D. Smith
W. P. Cropper	T. R. Jones	Claude B. Smith
R. T. Crowe	H. Clay Kauffman	John W. Snider
James S. Cruse	Wm. J. Kuh	Adam Spahn
H. C. Cummins	W. T. Lasley	Thomas Spurrier
S. C. Dobbs	M. E. Lee	Ed. D. Stone
Jas. R. Dorman	Dr. J. E. Lilly	R. C. Tartar
Thomas A. Dover	Dr. C. W. Mathers	Robt. R. Treadway
W. E. Dowling	Jacob Metzger	F. C. Trivette
William Duffy	Harry J. Meyers	D. B. Tyra
J. R. Durham	Claude D. Minor	J. Wood Vance
J. M. Elliston	S. Montgomery	J. W. Wall
T. T. Gardner	G. B. Moores	W. M. Webb
Wm. Gearheart	B. F. McAtee	M. O. Wilson
W. G. Gooch	E. B. McGlone	E. S. Wood
Frank C. Greene	W. J. McMurray	Louis E. Yewell
C. H. Grimes	C. B. Nichols	E. G. Young

—75

Resolved that the title thereof be as aforesaid.

Mr. William Duffy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 193. An act to amend an act entitled "An act concerning the State Inspector and Examiner," approved January 13, 1893.

Mr. Kauffman moved that said bill be re-committed to the Committee on Kentucky Statutes with leave to report at any time.

Said motion was agreed to.

Mr. Kauffman moved that the rules be suspended and that Senate Bill 103 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

S. B. 103. An act to amend an act entitled "An act concerning the State Inspector and Examiner," approved January 13, 1893.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

First: That an act entitled, "An act concerning the State Inspector and Examiner," which was approved January 13, 1893, and published in the Session Acts of 1891, 1892 and 1893 at chapter 127, be amended by adding at the end of section 1 thereof the following language:

The State Inspector and Examiner may, with the approval of the Governor, employ two assistants and a stenographer to assist in the performance of the duties required of the State Inspector under said act. One of said assistants shall be paid not exceeding $7.50 per day when engaged in work to which he shall be assigned by the State Inspector; the second of said assistants shall be paid not exceeding $5.00 per day while engaged in the work to which he is assigned by the State Inspector. The stenographer shall be paid not exceeding $75.00 per month. When, in the judgment of the State Inspector and Examiner, additional assistance is required for the examination of any of the county offices, State institutions, offices or officers, the State Inspector is authorized to examine, he may, with the approval of the Governor, employ such necessary assistants, and their compensation shall be fixed in advance by agreement betwen the State Inspector and Examiner and the Governor and such assistants. In addition to the salary and compensation herein authorized to be paid, the State Inspector and the Governor may allow to such assistants employed hereunder their actual necessary traveling expenses while engaged in the service of the State. Such compensation and expenses herein provided shall be paid upon the warrant of the Auditor when there has been filed with him an itemized statement of such salary and expenses, subscribed and sworn to by such asistants and approved by the State Inspector and Examiner and also approved by the Governor.

So that said section when amended shall read in full as follows:

"§ 1. The Governor shall, by and with the advice and consent of the Senate, appoint in January, one thousand eight hundred and ninety-six, and every four years thereafter, an officer to be known as the State Inspector and Examiner. The person so appointed shall be at least thirty years of age, and possess all the qualifications of an elector. He shall hold his office for four years from the date of his appointment, and until his successor is elected and qualified. He shall receive an annual salary of three thousand dollars, payable in the same manner as the salary of the Governor, and shall also receive his necessary traveling expenses when on business connected with his office. His expenses shall be paid upon the warrant of the Auditor, when he has filed with the Auditor an itemized statement of said expenses, subscribed and sworn to by him and approved by the Governor. The State Inspector and Examiner may, with the approval of the Governor, employ two assistants and a stenographer to assist in the performance of the duties required of the State Inspector under said act. One of said assistants shall be paid not exceeding $7.50 per day when engaged in work to which he shall be assigned by the State Inspector; the second of said assistants shall be paid not exceeding $5.00 per day while engaged in the work to which he is assigned by the State Inspector. The stenographer shall be paid not exceeding $75.00 per month. When, in the judgment of the State Inspector and Examiner, additional assistance is required for the examination of any of the county offices, State institutions, offices or officers, the State Inspector is authorized to examine, he may, with the approval of the Governor, employ such necessary assistants and their compensation shall be fixed in advance by agreement between the State Inspector and Examiner and the Governor and such assistants. In addition to the salary and compensation herein authorized to be paid, the State Inspector and Examiner and

the Governor may allow to such asistants employed hereunder their actual necessary traveling expenses while engaged in the service of the State. Such compensation and expenses herein provided shall be paid upon the warrant of the Auditor when there has been filed with him an itemized statement of such salary and expenses, subscribed and sworn to by such assistants and approved by the State Inspector and Examiner and also approved by the Governor."

Second. That Section 5 of the act entitled "An act concerning the State Inspector and Examiner," which was approved January 13, 1893, and published in the Session Acts of 1891, 1892 and 1893 at chapter 127, be amended by striking therefrom the following language:

"He shall also have authority to investigate and examine into the conduct of any other officer in this Commonwealth who is authorized to receive or collect any money due or going to the Commonwealth, or who has the management or control of any property belonging to the State, or in which the State is interested, touching his official conduct thereupon."

And insert in lieu thereof the following:

He shall have authority to investigate and examine into the conduct of all other officers of the Commonwealth, including all county officers, who are authorized to receive or collect or disburse any money due or going to the Commonwealth or who has the management or control of any property belonging to the State, or in which the State is interested, touching his official conduct thereon, or who makes estimates or rolls or records which are used as a basis by any department of the State government in the disbursement of public funds.

So that said section 5 as amended shall read in full as follows:

"§ 5. It shall be the duty of said Inspector and Examiner, once in each year, to fully and particularly examine into the management and condition of the Auditor's and Treasurer's office, and as to whether the laws regulating the official duties of said Auditor and Treasurer are being fully complied with by them respectively, and all money received by them for the State is fully accounted for. He shall have authority to investigate and examine into the conduct of all other officers of the Commonwealth, including all county officers, who are authorized to receive or collect or disburse any money due or going to the Commonwealth, or who has the management or control of any property belonging to the State, or in which the State is interested, touching his official conduct thereon, or who make estimates or rolls or records which are used as a basis by any department of the State government in the disbursement of public funds.

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. Roach offered the following amendment to said bill, viz.:

Amend section one by beginning at the word "when" in line 12 and striking out the rest of that section.

Said amendment was disagreed to.

Mr. Roach offered the following amendment to said bill, viz.:

Amend page 3 line 44 by beginning at the word when and striking out lines 45, 46, 47, 48, 49 and to the period in the middle of line 50.

Said amendment was disagreed to.

Mr. Lyon moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with a provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
Frank J. Brown
Glover H. Cary
S. B. Coleman
W. P. Cropper
R. T. Crowe
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
W. G. Gooch
Frank C. Greene
L. B. Hamilton
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
T. R. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
B. F. McAtee
E. B. McGlone
W. J. McMurray
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
J. D. Pumphrey
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
Louis E. Yewell
E. G. Young

—58

Those who voted in the negative were—

C. H. Bays	J. S. Hall	Thomas Spurrier
Chas. D. Bratcher	R. B. Jackson	Ed. D. Stone
G. G. Brashear	W. H. Jones	R. C. Tartar
Henry A. Cannon	W. R. Lyon	J. H. Thompson
A. S. Cooper	G. B. Moores	F. C. Trivette
James S. Cruse	L. T. Neat	J. W. Wall
Thomas A. Dover	A. J. Oliver	Frank M. White
Wm. Gearheart	A. B. Pieratt	J. D. Wills
C. H. Grimes	Harry P. Purnell	M. O. Wilson

—27

Resolved that the title thereof be as aforesaid.

Mr. Kauffman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Spahn moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 16, 1916.

The House was opened with prayer by the Rev. Roger T. Nooe, Pastor of the Christian Church, of Frankfort, Kentucky.

The reading of the Journal of the House of yesterday was dispensed with.

By the unanimous consent of the House Mr. Embrey was granted an indefinite leave of absence.

By the unanimous consent of the House the Hon. John H. Gilliam, Ex-member of the House, was granted the privilege of the floor of the House.

By the unanimous consent of the House the Hon. Elwood Hamilton, Ex-member of this House, was granted the privilege of the floor of the House.

By the unanimous consent of the House the Hon. William F. Klair, Ex-member of this House, was granted the privilege of the floor of the House.

By the unanimous consent of the House the Hon. Eli H. Brown, Ex-member of this House, was granted the privilege of the floor of the House.

Upon the call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Brashear:

H. B. 498. An act to prevent the spread of disease from live stock.

To the Committee on Agriculture.

By Mr. Hobbs:

H. B. 499. An act to amend section 2179a of the Kentucky Statutes.

To the Committee on Judiciary.

By Mr. W. M. Webb:

H. B. 500. An act to amend section 170 of the Constitution.

To the Committee on Constitutional Amendments.

By Mr. Murphy:

H. B. 501. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and prescribing a penalty therefor.

To the Committee on Criminal Law.

By Same:

H. B. 502. An act to amend and re-enact section 1486, Kentucky Statutes, Carroll's edition of 1914, relating to registration in cities and towns.

To the Committee on Suffrage and Election.

By Mr. Wilson:

H. B. 503. An act making it unlawful for persons to congregate outside places of public worship.

To the Committee on Criminal Law.

By Mr. White:

H. B. 504. An act to place medicinal roots and herbs on same footing, for taxation, as other growing crops.

To the Committee on Agriculture.

By Mr. Lilly:

H. B. 505. An act forbidding the opening of ditches or streams that will damage the land owner below without their consent.

To the Committee on Public Ditches and Fences.

By Mr. Young:

H. B. 506. An act to amend and re-enact section 4821, Kentucky Statutes, relating to weights and measures.

To the Committee on Agriculture.

By Mr. Roach:

H. B. 507. An act to amend and re-enact subsection 13 of section 4426a of Kentucky Statutes which is section 13 of chapter 56 of the Acts of 1908, and entitled "An act for the government and regulation of the common schools of the State."

To the Committee on Education.

Mr. Brashear moved that a vote of the House be taken as to whether or not the Committee on Alcoholic Liquor Traffic had held House Bill 155 an unreasonable length of time without reporting same.

Said motion was agreed to.

Mr. Oliver moved that a vote of the House be taken as to whether or not the Committee on Racing Commission had held House Bill 266 an unreasonable length of time without reporting same.

Mr. Hutchcraft moved that the consideration of the motion of Mr. Oliver be postponed until Friday, February 18th, at the hour of 10:30 a. m.

Mr. Cooper moved that the motion of Mr. Hutchcraft be laid on the table.

Said motion made by Mr. Cooper was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 22. An act creating the Thirty-sixth Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment of an election of a Circuit Judge and Commonwealth's Attorney, and changing the Twenty-third, Thirty-first and Thirty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in the other districts affected.

To the Committee on Redistricting, Judicial.

S. B. 141. An act to amend and re-enact section 2, of chapter 70, of the Acts of the General Assembly of 1914, which relates to the parole of prisoners confined in the State penal institutions.

To the Committee on State Prisons and Houses of Reform.

S. B. 142. An act to repeal and re-enact chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony or misdemeanor.

To the Committee on State Prisons and Houses of Reform.

Mr. Cook moved that the rules be suspended and that House Bill 323 be taken from the orders of the day and placed upon its passage.

The yeas and nays being called for by Messrs. Greene and W. M. Webb, on said motion made by Mr. Cook, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Frank J. Brown
Henry A. Cannon
Glover H. Cary
R. A. Cook
S. B. Coleman
W. P. Cropper
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
Wm. Gearheart
W. G. Gooch
W. C. G. Hobbs
A. B. Holland
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Jacob Metzger
Harry J. Meyers
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Ed. D. Stone
Robt. R. Treadway
D. B. Tyra
J. Wood Vance
John S. Webb
W. M. Webb
M. O. Wilson
Louis E. Yewell
E. G. Young

—66

Those who voted in the negative were—

E. Bullock	L. B. Hamilton	A. J. Oliver
A. S. Cooper	W. B. Harvey	Richard Radcliffe
Thomas A. Dover	David J. Howard	Thomas Spurrier
Frank C. Greene	Dr. C. W. Mathers	R. C. Tartar
C. H. Grimes	E. B. McGlone	J. W. Wall
J. S. Hall	W. J. McMurray	J. D. Wills

—18

Mr. Greene moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 323. An act to enable fiscal courts of any county to select commissioners for the purpose of handling the proceeds of any bond issue voted by the county to build or reconstruct roads and bridges.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the fiscal court of any county in the Commonwealth may, if it so desires, select or appoint four or more commissioners who shall be freeholders and legal voters and residents of said county, to act as a road commission in the handling of any funds derived from the sale of bonds authorized and voted by the said county for the purpose of building and reconstructing roads and bridges; and which commissioners shall be equally divided between the two dominant political parties of the county. Said commis-

sioners shall be selected at least fifteen days before the date of the election on the question of the bond issue, and their names published in some newspaper of general circulation in the county; and if none, by three printed notices posted, one at the court house door and the other two at prominent places in the county.

§ 2. That in the event that the fiscal court of any county does select or appoint commissioners as aforesaid, that their duties in so far as the building and reconstruction and designation of roads to be built with the proceeds of the bond issue shall be identical with those now exercised by the fiscal court.

§ 3. That before entering upon the discharge of their duties said commissioners shall each give a good and sufficient bond, approved by the county judge of the county, for the faithful discharge of their duties, and that the said commissioners shall be allowed a reasonable sum for their services by the fiscal court, to be paid by the fiscal court but out of the county levy for road and bridge purposes.

§ 4. That further, commissioners appointed under this act shall perform their duties subject to the supervision of the State Road Commissioner, of the State Road Department, should the county so voting bonds take advantage of State aid or receive funds from the State of Kentucky in building public highways.

§ 5. Emergency Clause.—And whereas, there are a number of counties in the State which desire to take advantage of the State Aid Law, and desire to hold elections under this act, an emergency is declared to exist for the passage of this law, and this law shall take effect upon its passage and approval by the Governor.

Mr. John S. Webb offered the following amendment to said bill, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That House Bill No. 323 be and is hereby amended by striking out the words: "May, if it so desires" in line two, section one and inserting the word "shall" therein.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Jas. R. Dorman	R.B.Hutchcraft,Jr.
H. F. S. Bailey	W. E. Dowling	J. M. Johnson
Geo. B. Barrett	William Duffy	T. R. Jones
C. H. Bays	J. R. Durham	W. H. Jones
Frank J. Brown	T. T. Gardner	H. Clay Kauffman
W. H. Brown	Wm. Gearheart	Wm. J. Kuh
Henry A. Cannon	W. G. Gooch	W. T. Lasley
Glover H. Cary	L. B. Hamilton	M. E. Lee
R. A. Cook	W. C. G. Hobbs	Dr. J. E. Lilly
S. B. Coleman	A. B. Holland	W. R. Lyon
W. P. Cropper	David J. Howard	Jacob Metzger
R. T. Crowe	J. M. Howell	Harry J. Meyers
S. C. Dobbs	Chas. L. Hunter	Claude D. Minor

S. Montgomery	J. D. Pumphrey	Ed. D. Stone
G. B. Moores	Harry P. Purnell	Robt. R. Treadway
John T. Murphy	D. S. Richardson	F. C. Trivette
B. F. McAtee	John T. Roach	D. B. Tyra
W. J. McMurray	Lewis Ryans	J. Wood Vance
S. Mazyck O'Brien	Joe Schneider	W. M. Webb
William A. Perry	L. M. Smith	M. O. Wilson
Geo. L. Pickett	Claude B. Smith	Louis E. Yewell
W. A. Price	John W. Snider	E. G. Young

—66

Those who voted in the negative were—

Chas. D. Bratcher	Dr. C. W. Mathers	R. C. Tartar
E. Bullock	E. B. McGlone	John S. Webb
A. S. Cooper	A. J. Oliver	Frank M. White
H. C. Cummins	A. B. Pieratt	J. D. Wills
C. H. Grimes	Thomas Spurrier	

—14

Resolved that the title thereof be as aforesaid.

Mr. Cook moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Greene offered the following resolution, viz.:

A resolution requesting the members of the United States Senate from Kentucky and the members of the House of Representatives from Kentucky to vote for an amendment to the Federal Constitution, prohibiting the manufacturing, the keeping for sale or selling spirituous, vinous or malt liquor.

§ 1. Be it resolved by the House of Representatives, that the members of the United States Senate from Kentucky, and the members of the House of Representatives from

Kentucky, be requested to vote for the submission of an amendment to the Federal Constitution prohibiting the manufacturing, the keeping for sale and selling spirituous, vinous, malt and all intoxicating liquors.

§ 2. That a copy of this resolution be attested by the Clerk of this House and sent to each Senator and each member of the House of Representatives from Kentucky.

Mr. Spahn moved to lay said resolution on the table.

The yeas and nays being called for on said motion to table by Messrs. Greene and W. M. Webb, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Chas. L. Hunter	Geo. L. Pickett
Frank J. Brown	Wm. J. Kuh	W. A. Price
R. A. Cook	Dr. J. E. Lilly	D. S. Richardson
W. P. Cropper	Dr. C. W. Mathers	Lewis Ryans
W. E. Dowling	Jacob Metzger	Joe Schneider
William Duffy	Harry J. Meyers	Claude B. Smith
Odie Duncan	S. Montgomery	John W. Snider
J. M. Elliston	John T. Murphy	Adam Spahn
W. G. Gooch	B. F. McAtee	D. B. Tyra
W. C. G. Hobbs	S. Mazyck O'Brien	John S. Webb
J. M. Howell	William A. Perry	Louis E. Yewell

—33

Those who voted in the negative were—

H. F. S. Bailey	Henry A. Cannon	H. C. Cummins
C. H. Bays	Glover H. Cary	S. C. Dobbs
Chas. D. Bratcher	A. S. Cooper	Jas. R. Dorman
G. G. Brashear	S. B. Coleman	Thomas A. Dover
W. H. Brown	R. T. Crowe	J. R. Durham
E. Bullock	James S. Cruse	T. T. Gardner

Wm. Gearheart	W. T. Lasley	Thomas Spurrier
Frank C. Greene	M. E. Lee	Ed. D. Stone
C. H. Grimes	W. R. Lyon	R. C. Tartar
J. S. Hall	Claude D. Minor	Robt. R. Treadway
L. B. Hamilton	G. B. Moores	F. C. Trivette
W. B. Harvey	W. J. McMurray	J. Wood Vance
A. B. Holland	L. T. Neat	J. W. Wall
David J. Howard	A. J. Oliver	W. M. Webb
R.B.Hutchcraft,Jr.	A. B. Pieratt	Frank M. White
R. B. Jackson	J. D. Pumphrey	J. D. Wills
J. M. Johnson	Harry P. Purnell	M. O. Wilson
T. R. Jones	Richard Radcliffe	E. S. Wood
W. H. Jones	John T. Roach	E. G. Young
H. Clay Kauffman	L. M. Smith	—59

And so said motion to table was disagreed to.

Mr. Meyers offered the following amendment to said resolution, viz.:

Amend by adding "Providing the persons who shall have their property confiscated, to be reimbursed at a fair value for same."

The yeas and nays being called for by Messrs. Greene and W. M. Webb on the adoption of said amendment were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Jas. R. Dorman	W. C. G. Hobbs
Frank J. Brown	W. E. Dowling	J. M. Howell
R. A. Cook	William Duffy	Chas. L. Hunter
S. B. Coleman	Odie Duncan	R.B.Hutchcraft,Jr.
W. P. Cropper	J. R. Durham	Wm. J. Kuh
R. T. Crowe	J. M. Elliston	W. T. Lasley
James S. Cruse	T. T. Gardner	M. E. Lee
S. C. Dobbs	W. G. Gooch	Dr. J. E. Lilly

Dr. C. W. Mathers	Geo. L. Pickett	John W. Snider
Jacob Metzger	W. A. Price	Adam Spahn
Harry J. Meyers	Harry P. Purnell	J. H. Thompson
S. Montgomery	D. S. Richardson	Robt. R. Treadway
John T. Murphy	Lewis Ryans	D. B. Tyra
B. F. McAtee	Joe Schneider	J. Wood Vance
S. Mazyck O'Brien	E. D. Smith	John S. Webb
William A. Perry	Claude B. Smith	Louis E. Yewell

—48

Those who voted in the negative were—

H. F. S. Bailey	W. B. Harvey	J. D. Pumphrey
C. H. Bays	A. B. Holland	Richard Radcliffe
Chas. D. Bratcher	David J. Howard	John T. Roach
G. G. Brashear	R. B. Jackson	L. M. Smith
W. H. Brown	J. M. Johnson	Thomas Spurrier
E. Bullock	T. R. Jones	Ed. D. Stone
Henry A. Cannon	W. H. Jones	R. C. Tartar
Glover H. Cary	H. Clay Kauffman	F. C. Trivette
A. S. Cooper	W. R. Lyon	J. W. Wall
H. C. Cummins	Claude D. Minor	W. M. Webb
Thomas A. Dover	G. B. Moores	Frank M. White
Wm. Gearheart	E. B. McGlone	J. D. Wills
Frank C. Greene	W. J. McMurray	M. O. Wilson
C. H. Grimes	L. T. Neat	E. S. Wood
J. S. Hall	A. J. Oliver	E. G. Young
L. B. Hamilton	A. B. Pieratt	

—47

And so said amendment was agreed to.

Mr. Meyers moved that the vote by which said amendment was agreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. W. M. Webb moved the previous question.

Said motion was agreed to.

Mr. Greene moved that the orders of the day be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Greene moved that said resolution be tabled.

The yeas and nays being called for by Messrs. Greene and W. M. Webb on said motion to table.

Mr. Greene was granted leave to withdraw the call for the yeas and nays on said motion to table.

Thereupon the yeas and nays were called for by Messrs. Crowe and William Duffy on said motion to table said resolution, and are as follows:

Those who voted in the affirmative were—

Peter Ampler	W. E. Dowling	Wm. J. Kuh
H. F. S. Bailey	William Duffy	M. E. Lee
C. H. Bays	Odie Duncan	W. R. Lyon
Chas. D. Bratcher	T. T. Gardner	Jacob Metzger
G. G. Brashear	Wm. Gearheart	Harry J. Meyers
Frank J. Brown	W. G. Gooch	Claude D. Minor
W. H. Brown	Frank C. Greene	S. Montgomery
E. Bullock	C. H. Grimes	G. B. Moores
Henry A. Cannon	J. S. Hall	John T. Murphy
Glover H. Cary	L. B. Hamilton	B. F. McAtee
R. A. Cook	W. B. Harvey	E. B. McGlone
A. S. Cooper	W. C. G. Hobbs	L. T. Neat
S. B. Coleman	A. B. Holland	S. Mazyck O'Brien
W. P. Cropper	Chas. L. Hunter	A. J. Oliver
James S. Cruse	R. B. Jackson	William A. Perry
H. C. Cummins	T. R. Jones	Geo. L. Pickett
Thomas A. Dover	W. H. Jones	A. B. Pieratt

W. A. Price	John W. Snider	J. W. Wall
Richard Radcliffe	Adam Spahn	W. M. Webb
D. S. Richardson	Ed. D. Stone	Frank M. White
John T. Roach	R. C. Tartar	J. D. Wills
Lewis Ryans	J. H. Thompson	M. O. Wilson
Joe Schneider	F. C. Trivette	E. S. Wood
L. M. Smith	D. B. Tyra	Louis E. Yewell

—82

Those who voted in the negative were—

R. T. Crowe	H. Clay Kauffman	Harry P. Purnell
S. C. Dobbs	W. T. Lasley	Robt. R. Treadway
David J. Howard	Dr. C. W. Mathers	J. Wood Vance
R.B.Hutchcraft,Jr.	W. J. McMurray	John S. Webb
J. M. Johnson	J. D. Pumphrey	

—14

And so said motion to lay said resolution on the table was agreed to.

Mr. Meyers moved that the vote by which said resolution was tabled be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Gardner moved that this House do now adjourn.

The yeas and nays being called for by Messrs. Spurrier and Minor on said motion to adjourn were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Henry A. Cannon	James S. Cruse
H. F. S. Bailey	Glover H. Cary	H. C. Cummins
C. H. Bays	S. B. Coleman	S. C. Dobbs
Chas. D. Bratcher	W. P. Cropper	W. E. Dowling
Frank J. Brown	R. T. Crowe	William Duffy

Odie Duncan	Dr. J. E. Lilly	Joe Schneider
J. R. Durham	Jacob Metzger	Claude B. Smith
J. M. Elliston	Harry J. Meyers	John W. Snider
T. T. Gardner	S. Montgomery	Adam Spahn
Wm. Gearheart	John T. Murphy	R. C. Tartar
W. G. Gooch	B. F. McAtee	J. H. Thompson
J. S. Hall	E. B. McGlone	D. B. Tyra
W. C. G. Hobbs	S. Mazyck O'Brien	John S. Webb
R.B.Hutchcraft,Jr.	William A. Perry	W. M. Webb
T. R. Jones	Geo. L. Pickett	Louis E. Yewell
W. H. Jones	J. D. Pumphrey	E. G. Young
H. Clay Kauffman	D. S. Richardson	
W. T. Lasley	Lewis Ryans	—52

Those who voted in the negative were—

G. G. Brashear	J. M. Howell	A. B. Pieratt
W. H. Brown	Chas. L. Hunter	Harry P. Purnell
E. Bullock	R. B. Jackson	John T. Roach
R. A. Cook	J. M. Johnson	L. M. Smith
A. S. Cooper	M. E. Lee	Thomas Spurrier
Jas. R. Dorman	W. R. Lyon	Ed. D. Stone
Thomas A. Dover	Dr. C. W. Mathers	Robt. R. Treadway
Frank C. Greene	Claude D. Minor	Frank M. White
C. H. Grimes	G. B. Moores	M. O. Wilson
L. B. Hamilton	W. J. McMurray	E. S. Wood
David J. Howard	L. T. Neat	—32

And so said motion to adjourn was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 17, 1916.

The House was opened with prayer by the Rev. Roger T. Nooe, Pastor of the Christian Church, of Frankfort, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

Upon the call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Lyon:

H. B. 508. An act to convey to Hart county the interest of the State of Kentucky in the Rio Bridge Company, a corporation.

To the Committee on Public Bridges.

The special report of Nat B. Sewell, State Inspector and Examiner, to the General Assembly of Kentucky, on State Departments receiving a lump sum appropriation for clerk hire, was presented to the House, which was received, read and ordered filed.

Said report is as follows:

SPECIAL REPORT OF NAT B. SEWELL, STATE INSPECTOR AND EXAMINER, TO THE GENERAL ASSEMBLY OF KENTUCKY, ON STATE DEPARTMENTS RECEIVING A LUMP SUM APPROPRIATION FOR CLERK HIRE.

Frankfort, Kentucky, February 12th, 1916.

To the General Assembly,
Commonwealth of Kentucky,
Frankfort, Kentucky.

Gentlemen:—I beg leave to submit for your consideration this report made, as far as possible, in compliance with the requirements of the following resolution passed by both branches of your honorable body:

RESOLUTION.

"Be it resolved by the General Assembly of the Commonwealth of Kentucky:

"That the Inspector and Examiner shall immediately report to the General Assembly whether or not the Secretary of State or the head of any other Executive Department of this Commonwealth having a lump sum appropriation to be used in the discretion of such head of such department as provided for the expenditure of such sum, if not, what part of such sum is unexpended and to whom such sums are paid, stating in full and in detail whether such sums are paid for work not provided for by the statutes or used for supplementing and increasing the salaries of those provided for. Such report shows, in addition, the number of persons in each of the said departments and shows whether paid out of the lump sum appropriation. The said Inspector and Examiner shall state in his report the manner of employment of each of said persons with the beginning and expiration of the term of each of said officers; the amount received for services rendered, whether or not said persons are now engaged in the performance of said services, and the number of hours in the day actually employed in the discharge of the duties assigned to each of said employees."

AUDITOR'S OFFICE.

The lump sum appropriation for clerk hire in the Auditor's office amounts to $21,900.00 as provided by the Kentucky Statutes as follows:

Section 138	$13,700
Section 139	2,500
Section 139a	3,000
Section 351a, sub. 2	1,500
Section 4001a, sub. 4	1,200
Total	$21,900

The accompanying statement shows that all of this appropriation is used for clerk hire as provided for by the statutes. It is impossible for the Auditor's office to give further information than for the month of January, 1916, as the present Auditor's term of office began at that time.

As to the number of hours actually employed in the discharge of their duties, the Auditor states that the entire number of clerks work as much as eight hours a day, and the Auditor and several of the employees have averaged from ten to twelve hours of actual service each day since the present Auditor went into office.

Both from the Auditor's statement and from frequent observations, it is the opinion of the Inspector and Examiner that the time of the clerical force in the Auditor's office is fully occupied with the work of that office.

Following is a complete list of the clerks paid from the above lump sum appropriation allowed the Auditor, the positions occupied by them, and their annual and monthly salaries. The Auditor further states that the following list constituted his clerical force for the month of January and that most of them will be retained, though subject to changes in all departments:

CLERICAL FORCE.

H. B. Ware, Chief Clerk	$1,800	$150 per month
Florence Lutkemeier, Stenog'r.	1,200	100 per month

CLAIM DEPARTMENT.

J. M. Rice, Chief Clerk	$1,680	$140 per month
E. W. Gaines, Clerk	1,500	125 per month
Don Todd, Clerk	1,380	115 per month
W. H. Ellis, Clerk	1,380	115 per month

DEPARTMENT RECEIPTS AND EXPENDITURES.

H. Z. Churchill, Clerk	$1,380	$115 per month

DEPARTMENT TAXES, SHERIFF'S REVENUES AND DISTILLED SPIRITS.

C. F. Saunders, Clerk	$1,500	$125 per month

DEPARTMENT GENERAL BOOKKEEPER.

J. T. Embry, Clerk	$1,800	$150 per month

DEPARTMENT SETTLEMENT OF CLERKS, COUNTY AND CIRCUIT.

T. B. Bullock, Clerk	$1,200	$100 per month

FINES AND FORFEITURES, FISH AND GAME COMMISSION.

E. J. Hooten, Clerk	$1,200	$100 per month

CORPORATION DEPARTMENT.

C. J. Veling, Chief Clerk	$1,800	$150 per month
A. B. Jones, Clerk	1,380	115 per month
H. Freeman, Clerk	1,200	100 per month

LAND OFFICE.

H. S. Redmon, Clerk	$1,500	$125 per month
Total appropriation for clerk hire in Auditor's office, including Land office	$21,900	$1,825 per month

TREASURER'S OFFICE.

Tho total amount allowed the Treasurer for clerk hire is $6,000, authorized as follows by the Kentucky Statutes:

Section 4683	$3,300
Section 4683a	1,500
Section 4683a, sub. sec. 6	1,200
Total	$6,000

The Treasurer has filed with me a statement of his expenditure for clerical assistance as follows:

CLERICAL FORCE.

J. L. White, Asst. Treas.	$2,500	$208.33 per month
J. O. Carson, Clerk	1,500	125.00 per month
S. H. Monarch, Clerk	1,320	110.00 per month
	$5,320	
Total annual allowance for clerk hire		$6,000.00
Total annual expenditures for clerk hire		5,320.00
Annual balance in hands of Treasurer		$680.00

The Treasurer, like the Auditor, makes his statement for the month of January. The balance of $680 allowed him may be used at any time during the year at his discretion for additional help. No stenographer is employed in the Treasurer's office at this time. I find that the time of the entire force is fully occupied in transaction of the business of this office.

ATTORNEY GENERAL'S OFFICE.

Sections 112-115, subsection 3, Kentucky Statutes, provides the sum of $1,200 annually for the use of the Attorney General in employing additional stenographic help in his office, to be paid monthly, as provided for regular stenographers. At this time Miss Martha Abbott is employed under this provision at a salary of $75 per month, which will leave an annual balance of $300 subject to the discretion of the Attorney General.

SECRETARY OF STATE'S OFFICE.

Under Act of 1912, the Secretary of State is allowed an annual lump sum appropriation of $10,000 for clerk hire. (Kentucky Statutes, section 878.)

Secretary of State, James P. Lewis, has given me a certified list of his pay roll for the month of January, as follows:

L. T. Farmer, Clerk	$175.00	full month
A. J. Sturgill, Clerk	175.00	full month
Marie Lockett, Copyist	100.00	full month
E. Matt Karr, Clerk	29.00	part month
J. E. Lewis, Stenographer	83.33	part month
Lena McClure, Stenographer	50.00	part month
E. Magoffin, Clerk	166.67	full month

W. C. Elliston, Clerk	166.67	full month
Mary Jo Waters, Stenographer	60.00	full month
Ike Miller, Porter	45.00	full month
Less Ayers, Porter	11.00	part month
Total January pay roll	$1,061.67	

Mr. Lewis, in the same certified statement, gives the following as his regular appointees and explains that other employes in his office for January were retained only temporarily to aid his new force in becoming acquainted with the duties of their positions and in facilitating the work of the office during the early part of his incumbency:

L. T. Farmer, Corporation Clerk	$2,100	$175.00 per mo.
A. J. Sturgill, General Clerk	2,100	175.00 per mo.
Marie Lockett, Copyist	1,200	100.00 per mo.
E. Matt Karr, Bookk'p'r and Cl'k	1,500	125.00 per mo.
J. E. Lewis, Copyist and Steno	1,500	125.00 per mo.
Lena McClure, Stenographer	1,020	85.00 per mo.
Ike Miller, Porter	540	45.00 per mo.
Total yearly and mo. payroll	$9,960	$830.00 per mo.
Total annual expenditures for regular clerk hire	$9,960.00	
Total above regular pay roll for extra help, January	231.67	
Total	$10,191.67	

I find that Mr. Elliston and Mr. Magoffin are still employed in the office of the Secretary of State, but am informed that their work will be done by the regular office force after the present month. The present office force is more than adequate to do the work of the office, but considerable time of

the experienced employees has been and is consumed in acquainting the inexperienced ones with their duties.

All of the above is respectfully submitted for your consideration.

NAT B. SEWELL,
State Inspector and Examiner.

Mr. Gardner moved that said special report of the State Inspector and Examiner be printed and that copies of same be placed on the members' desks.

Said motion was agreed to.

Ordered that said special report be printed.

Mr. Stone called up from the Clerk's desk a resolution of the following title, viz.:

H. Res. 13. Resolution providing for the appointment of a committee from the House of Representatives and Senate to gather information as they deem necessary concerning the State University at Lexington.

Mr. William Duffy moved that said House Resolution 13 be referred to the Committee on State University and Normal Schools.

Said motion was agreed to.

Mr. Stone moved that a vote of the House be taken as to whether or not the Committee on State Prisons and Houses of Reform had held House Bill 168 an unreasonable length of time without reporting same.

Mr. Hutchcraft then moved to amend the motion of Mr.

Stone to postpone the consideration of same until Saturday, February 19th, at 10:30 a. m.

Mr. Stone then moved that said House Bill 168 be called from the Committee on State Prisons and Houses of Reform on Saturday, February 19th, at 11 o'clock a. m.

Mr. Meyers then moved that the motion of Mr. Stone to call said bill from the committee on Saturday, February 19th, at 11 o'clock a. m. be laid on the table.

The yeas and nays being called for by Messrs. Stone and Meyers, on the motion made by Mr. Meyers, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. M. Howell	William A. Perry
Chas. D. Bratcher	Chas. L. Hunter	A. B. Pieratt
Frank J. Brown	R.B.Hutchcraft,Jr.	W. A. Price
E. Bullock	Wm. J. Kuh	J. D. Pumphrey
Henry A. Cannon	W. T. Lasley	D. S. Richardson
R. A. Cook	M. E. Lee	Joe Schneider
S. B. Coleman	Dr. J. E. Lilly	E. D. Smith
James S. Cruse	Dr. C. W. Mathers	Claude B. Smith
S. C. Dobbs	Jacob Metzger	Adam Spahn
Jas. R. Dorman	Harry J. Meyers	Bannie Tabor
W. E. Dowling	Claude D. Minor	R. C. Tartar
William Duffy	S. Montgomery	Robt. R. Treadway
J. R. Durham	John T. Murphy	F. C. Trivette
J. M. Elliston	B. F. McAtee	D. B. Tyra
T. T. Gardner	E. B. McGlone	J. Wood Vance
W. G. Gooch	C. B. Nichols	John S. Webb
W. C. G. Hobbs	S. Mazyck O'Brien	J. D. Wills
David J. Howard	A. J. Oliver	Louis E. Yewell

—54

Those who voted in the negative were—

C. H. Bays	J. S. Hall	J. H. Thompson
A. S. Cooper	W. H. Jones	J. W. Wall
W. P. Cropper	G. B. Moores	W. M. Webb
Wm. Gearheart	W. J. McMurray	M. O. Wilson
C. H. Grimes	Ed. D. Stone	E. G. Young

—15

And so said motion was agreed to.

Mr. Meyers moved that the vote by which said motion was laid on the table be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By the unanimous consent of the House the Hon. V. D. Hammond, Ex-member of the House, was granted the privilege of the floor of this House.

Mr. Meyers moved that by the unanimous consent of the House the privileges of the floor of this House be granted to all Ex-members now present.

Said motion was agreed to.

The hour for the special order of the day having arrived.

The House took up for consideration a bill entitled, viz.:

S. B. 131. An act to require the registration of legislative counsel and legislative agents; to define regular practicing attorneys as used in this act, and provide for their registration before legislative committees; and to define and prohibit corrupt lobbying.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person, corporation or association employing any person, to act as agent or counsel to promote or oppose in any manner the passage by the Legislature of any legislation affecting the pecuniary interests of any individual, association or corporation as distinct from those of the whole people of the State, or to act in any manner as a legislative counsel or agent in connection with any such legislation, shall, within one week after the date of such employment, cause the name of the person so employed to be entered upon a legislative docket as hereinafter provided. It shall also be the duty of the person so employed to enter, or cause to be entered, his name upon such docket. Upon the termination of such employment such fact may be entered opposite the name of any person so employed either by the employer or the employee.

§ 2. The Attorney General of the State shall prepare and keep a legislative docket in conformity with the provisions of this act and which shall be known as the docket of the legislative counsel or agent before committees. In the docket of legislative counsel or agents shall be entered the names of all counsel or agents employed for any purpose in connection with any legislation included within the terms of section one of this act except the names of regular practicing attorneys as hereinafter defined. In such docket shall be entered the names and business address of the employer; the name, residence and occupation of the person employed, the date of the employment or agreement therefor; the length of time that the employment is to continue, if such time can be determined, and the special subject or subjects of legislation, if any, to which the employment relates. Said

docket shall be a public record and open to the inspection of any citizen upon demand at any time during the regular business hours of the office of the Attorney General.

§ 3. Any person, corporation or association employing any legislative counsel or agent, shall, whenever further subjects of legislation are introduced or arise which such counsel or agent is to promote or oppose, make or cause to be made additional interest opposite his or its name on said docket, stating such special employment and specifically referring to the petitions, orders, bills, or other subjects of legislation to which the same relates, and such entry shall also be made opposite the names of such counsel or agents in such manner that such entries shall show all the subjects of legislation in relation to which any counsel or agent is employed. No person shall appear as counsel before any committee of the Legislature, or of either branch thereof, or act as agent in respect to any legislation coming within the terms of section one of this act, unless his name appears upon the docket for legislative counsel or agents as employed in respect to such matter as above provided. No person, corporation or association shall, directly or indirectly, employ any person as legislative counsel or agent in respect to any legislation coming within the terms of section one, unless the name of such person is duly entered on said docket as provided by this act. No person shall be employed as a legislative counsel or agent, for a compensation dependent in any manner upon the passage or defeat of any proposed legislation, or upon any contingency connected with the action of the Legislature or of either branch thereof, or of any committee thereof. No person whose name is entered on the docket of the legislative counsel or agent shall render any service as legislative counsel or agent otherwise than by appearing before a committee as aforesaid, and by doing work properly incident thereto.

§ 4. Legislative counsel or agents required to have their names entered upon the legislative docket shall file with the Attorney General, within ten days after the date of making such entry, a written authorization to act as such, signed by the person or corporation employing them.

§ 5. Within thirty days after the final adjournment of the legislature every person, corporation or association whose name appears upon the legislative docket of the session, shall file with the Attorney General a complete and detailed statement sworn to before a notary public or the clerk of some court by the person making same, or in the case of a corporation by its president or treasurer, of all expenses paid or incurred by such person, corporation or association in connection with the employment of legislative counsel or agents, or in connection with the proposing or opposing in any manner the passage by the legislature of any legislation coming within the term of section one of this act. Corporations and individuals within the provisions of this act shall render such accounts in such forms as shall be prescribed by the Attorney General, and such reports shall be open to public inspection.

§ 6. It shall be unlawful for any person employed for a pecuniary consideration to act as legislative counsel or agent as defined by section one of this act, to attempt personally, either directly or indirectly, to influence any member of the Legislature to vote for or against any measure pending therein, or to fail to vote thereon, otherwise than by appearing before the regular committees thereof, when in session, or by newspaper publications or by public addresses, or by written or printed statements, arguments or briefs delivered to each member of the Legislature, provided a copy thereof shall be first deposited with the Attorney General. No officer, agent, appointee or employee of the State of Kentucky, or of the United States, shall be employed

to act or shall act as legislative counsel or legislative agent to appear before the Legislature, or either branch of same, or any committee thereof. No institution or association supported in whole or in part by appropriations from the State treasury, or officer thereof, and no department of the State governemnt, or officer thereof, and no officer of any county, city, district, or other municipality, shall employ or use any legislative agent or counsel, or a regular practicing attorney as hereinafter defined, for the purpose of promoting or defeating any legislation pending before the General Assembly.

§ 7. It shall be unlawful for any person employed for a pecuniary consideration to act as legislative counsel or agent to go upon the floor of either House of the Legislature reserved for the members thereof while in session, except upon the invitation of such house.

§ 10. Any person who shall openly or secretly attempt by coercion, intimidation or bribery, or by the offer of political support for appointment or election to a public office, or by the offer of newspapers' support for a nomination or election, or by the offer of money or anything of value, or by any other improper method, to influence any member or officer of the General Assembly, in the discharge of the duties of his office, shall be guilty of the crime of corrupt lobbying.

§ 11. Any corporation, individual or association who fails to comply with the provisions of this act in making the report required to the Attorney General, or causing the name or names of legislative counsel or agents employed by such corporation, individual or association to be registered as required by this law, shall for the first offense be deemed guilty of a misdemeanor, and fined in any sum not to exceed one thousand dollars ($1,000.00) and for a second offense fined in any sum not to exceed five thousand dollars

($5,000.00) and if a corporation, its charter may be forfeited in the discretion of the court; any officer of any corporation, or association failing to make the reports herein required or to cause the name or names of legislative counsel or agents to be registered, as provided in this act, shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not to exceed one thousand dollars ($1,000.00), or confined in the county jail not to exceed one year; any legislative agent or counsel violating any of the provisions of this act shall be deemed guilty of a felony, and upon conviction shall be fined not exceeding five thousand dollars ($5,000.00) or confined in the penitentiary not to exceed five years, or both so fined and imprisoned in discretion of the jury.

§ 12. As important legislation is pending and lobbying has and does now exist, an emergency is declared to exist and this bill shall take effect from and after its passage and approval by the Governor.

Mr. Stone offered the following amendment by way of substitute for said bill, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person, firm, corporation, or association, or any officer or employe of a firm, corporation or association acting for or on behalf of such firm, corporation or association, who or which directly or indirectly employs any person or persons, firm, corporation or association to promote, advocate, amend or oppose in any manner any matter pending or that might legally come before the General Assembly or either House thereof, or a committee of the General Assembly or of either House thereof, shall before any service is entered upon, file in the office of the Secretary of State a writing signed by such officer, employe, agent or person or persons, stating the name or names or person or persons,

firm, corporation or associations, by whom or on whose behalf he is retained or employed, together with a brief description of the legislation in reference to which such service is to be rendered. It shall be the duty of the Secretary of State to provide a docket, to be known as the docket of the legislative appearances, with appropriate blanks and indices, and to forthwith enter therein:

1. If any individual, his full name, place of residence, and place of business.

2. If a firm, its correct firm name, place of business, and the full name and place of residence of each partner.

3. If a corporation or association, its full name, the location of its principal place of business, whether a corporation or voluntary association, whether a domestic or foreign corporation, and the names and the places of residence of each of its officers.

4. The nature and kind of his, their, or its business, occupation or employment.

5. The full name, place of residence and occupation of each person, firm, corporation or association so employed, together with the full period of employment.

6. The exact subject matter pending or that might legally come before the General Assembly or either House thereof or before any committee thereof with respect to which such person, firm, corporation or association is so employed.

7. When any change, modification or addition to such employment or the subject matter of the employment is made, the employer shall before any service is rendered,

make known such change, modification or addition, furnish in writing full information regarding the same to the Secretary of State.

The Secretary of State shall immediately enter all such information, appropriately indexed so as to show all employers, employes and the subject matter of such employments, in a separate book to be kept for that purpose in the office of the Secretary of State, which book at all times shall be open to public inspection. Upon the payment of the fee hereinafter provided for, the Secretary of State shall issue to each person or to the representative of any firm, corporation or association, so employed, a certificate showing the name of the person to whom the certificate is issued, the name or names of his employers, the particular matter in respect to which such person is so employed, and the duration of the employment. A new certificate shall be required and issued upon any change, modification or addition being made to such employment, such certificate shall be prima facie evidence during the period of the employment therein recited, but not to exceed two years, of compliance with this section by the employer and employe named in said certificate. Provided, that nothing in this section shall apply to a bona fide newspaper, journal or magazine, or a bona fide news bureau or association which in turn furnishes such information solely to bona fide newspapers, journals or magazines, in employing correspondents to furnish information or news for publication only.

§ 2. No person who has received, or who has been promised, or who expects to receive, directly or indirectly, any compensation therefor shall appear before any committee of the General Assembly or either House thereof, or promote, advocate, oppose or seek to have amended in any manner any matter pending or that might legally come before the General Assembly or either House thereof, or before a com-

mittee of the General Assembly, or of either House thereof, unless he shall have first received from the Secretary of State a certificate showing that the name of such person has been furnished to the Secretary of State in conformity with the law with respect to the particular matter in hand. Nothing herein contained shall apply to or interfere with the furnishing of information or news to any bona fide newspaper, journal or magazine for publication, or to any news bureau or association which in turn furnishes the said information or news only to bona fide newspapers, journals or magazines for publication. Nothing herein contained shall apply to any person, who appears in response to a written invitation from the General Assembly or either House thereof, or appears in response to a written invitation from any duly appointed committee of such General Assembly or either House thereof.

§ 3. No person, firm, corporation or association shall be employed with respect to any matter pending or that might legally come before the General Assembly or either House thereof, or before a committee of the General Assembly or either House thereof for a compensation dependent in any manner upon the passage, defeat, or amendment of any such matter, or upon any other contingency whatever in connection therewith.

§ 4. Within thirty days after the final adjournment of any session of the General Assembly every person, firm, corporation or association that has employed any person, firm, corporation or association, or has paid or expended or promised to pay or expend any money or other thing of value in relation to any matter that was pending or that might legally have come before such session of the General Assembly or either House thereof, or a committee of the General Assembly or either House thereof, shall file with the Secretary of State an itemized statement, verified by the

oath of such person, or, if a firm, by member thereof, or, if a corporation or association, by an officer thereof, showing in details all expenses paid, incurred or promised, directly or indirectly, in connection with any matter that was pending or that might legally have come before the General Assembly or either House thereof, or a committee of the General Assembly or either House thereof during such previous session, with the names of the payees and the amounts paid to each, including all disbursements made, incurred or promised to any person, firm, corporation or association; and also specifying the nature or the matter that was pending or that might legally have come before the General Assembly or either House thereof, and the interest of the person, firm, corporation or association therein. Every person who receives, either individually or as an officer, agent, employe, or counsel, any money or thing of value to be expended or used by him in relation to any matter pending or that might legally come before the General Assembly or either House thereof, or a committee of the General Assembly or either House thereof, at any session of the General Assembly, shall within thirty days after the final adjournment of such session of the General Assembly file with the Secretary of State an itemized statement, verified by the oath of such person, showing in detail all the money or other thing of value so received or expended by him, and all liabilities directly or indirectly incurred by him in connection with such matter. Such statement shall contain the full name and address of the person making the same, and the names and addresses of such person, firm, committee, corporation or association to whom any money or thing of value was paid or promised, whether directly or indirectly, the purpose for which, the place where, and the date when each item of money or other thing of value was paid or promised by such person, and the balance in hand of such accounting person and the disposition to be made thereof.

§ 5. The provisions of this act shall not be construed as affecting professional services in drafting bills, preparing arguments thereon, or in advising clients and rendering opinions as to the construction and the effect of proposed or pending legislation where such professional services are not otherwise connected with legislative action.

§ 6. Any person who violates any of the provisions of this act, whether acting either individually or as an officer, agent, employe or counsel of a person, firm, corporation or association, or any person, whether acting individually, as an officer, employe, agent or counsel of a firm, corporation or association, who causes or participates in any violation of the provisions of this act, shall upon conviction be fined not less than three hundred ($300.00) dollars nor more than five thousand ($5,000.00) dollars or be imprisoned in the penitentiary for a term of not less than one year nor more than three years, or both. Any firm, corporation or association which violates, or causes or participates in any violation of any of the provisions of this act shall for each offense be fined not less than three hundred ($300.00) dollars nor more than five thousand ($5,000.00) dollars. The prosecution of one or more of the officers or employes of such corporation or association shall not be a bar to the prosecution and conviction of the corporation or association for such offense.

§ 7. In any prosecution under this act, the Attorney General or any of his assistants designated by him, may appear on behalf of the State before any grand jury or petit jury in any county of the State.

§ 8. The Secretary of State shall charge and collect, and be entitled to receive from the employer the sum of five ($5.00) dollars for each certificate necessary under the provisions of this act. Said sum shall be for the benefit of the school fund of this State. The Secretary of State shall

neither receive nor file any statement or issue any such certificate unless the fee herein prescribed has been paid.

§ 9. This act is hereby declared to be an emergency act, and that its enactment is necessary for the immediate preservation of public safety.

Said amendment by way of substitute was disagreed to.

Mr. L. M. Smith offered the following amendment to said bill, viz.:

Amend Senate Bill 131 as follows: On page 1, line 2, strike out the words "to define regular practicing attorneys as used in this act."

In section 2, page 2, in lines 7 and 8, strike out the words, "except the names of regular practicing attorneys as hereinafter defined."

On pages 4 and 5, strike out all of section 6.

On page 6, strike out all of section 12.

Said amendments were agreed to.

Ordered that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
R. A. Cook
A. S. Cooper
S. B. Coleman
W. P. Cropper
James S. Cruse
H. C. Cummins
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
Wm. Gearheart
W. G. Gooch
C. H. Grimes
J. S. Hall
L. B. Hamilton
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
A. B. Pieratt
W. A. Price
J. D. Pumphrey
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Ed. D. Stone
Bannie Tabor
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
F. C. Trivette
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—89

Resolved that the title thereof be as aforesaid.

Mr. L. M. Smith moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By the unanimous consent of the House Mr. Barrett was granted an indefinite leave of absence.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 80. An act to amend and re-enact section 3483, chapter 89, Kentucky Statutes, Carroll's edition, relating to adding or striking off territory of cities of the fourth class; being an Act of June 28, 1893, amended March 22, 1902, and previously amended March 24, 1894, and March 17, 1898.

To the Committee on Cities of the Fourth Class.

Also that they had passed a bill originating in the House of the following title, viz.:

H. B. 2. An act to promote pure elections, primaries and conventions, and to prevent corrupt practice in the same; to limit the expenses of candidates; to prescribe the duties of candidates and providing penalties and remedies for violations, and declaring void, under certain conditions, elections in which these provisions or any of them have been violated.

With Senate amendments thereto.

Also that they had passed a bill originating in the House of the following title, viz.:

H. B. 83. An act creating a State Board of Accountancy, prescribing its powers and duties, providing for examinations and issuing certificates to qualified public account-

ants, and providing for penalties for violation of the provisions of this act.

Also that they had adopted a joint resolution of the following title, viz.:

S. Res. 12. A joint resolution for the benefit of Mrs. Stewart, wife of Senator J. E. Stewart, and appropriating money to her.

The House took up for consideration said resolution, which reads as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That, whereas, Honorable J. E. Stewart, member of the State Senate from the Thirty-fifth Dstrict, died on the 25th day of January, 1916, before the expiration of his term of office; and,

Whereas, had he lived there would have been compensation due him for this regular session of the General Assembly and the regular session in 1918; and,

Whereas, he was a valuable and upright Senator and his family are poor and in needy circumstances;

Therefore, be it resolved, that his widow, Mrs. Clara Hamm Stewart, be and she is hereby allowed to receive the full compensation which would have been due him if he had lived and served out his term as Senator, and the Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for the amount of salary that would have been due the said J. E. Stewart in favor of his said widow, and the Treasurer is directed to pay said sum out of any moneys on hand not otherwise appropriated.

The yeas and nays being taken on the adoption of said resolution, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Henry A. Cannon
A. S. Cooper
S. B. Coleman
W. P. Cropper
James S. Cruse
S. C. Dobbs
Jas. R. Dorman
W. E. Dowling
William Duffy
J. R. Durham
J. M. Elliston
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
L. B. Hamilton
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
A. B. Pieratt
W. A. Price
Harry P. Purnell
D. S. Richardson
Lewis Ryans
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Thomas Spurrier
Ed. D. Stone
Bannie Tabor
R. C. Tartar
J. H. Thompson
Robt. R. Treadway
F. C. Trivette
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
J. D. Wills
E. S. Wood
Louis E. Yewell
E. G. Young

—78

Those who voted in the negative were—

H. F. S. Bailey
Dr. J. E. Lilly

—2

Said resolution was concurred in.

Also that they had concurred in a House resolution of the following title, viz.:

H. Res. 10. Resolution accepting the terms of the Smith-Lever Bill and authorizing the State University to receive the funds that accrue to the State of Kentucky.

(For said resolution see House Journal of January 31st.)

Also that they had concurred in a House resolution of the following title, viz.:

H. Res. 6. Resolution requesting the State Inspector and Examiner to furnish to the General Assembly certain information.

(For said resolution and amendment thereto by way of substitute therefor see Journals of January 12th and 14th.)

Also that they had adopted a joint resolution of the following title, viz.:

S. Res. 19. A resolution adjourning out of respect to George Washington.

Said resolution reads as follows, viz.:

RESOLUTION OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY.

Whereas, Tuesday the twenty-second of February is the birthday of George Washington, the Father of our Country; and,

Whereas, said day is a legal holiday; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Senate and House of Representatives adjourn on Saturday, February 19th, to meet again on Wednesday, February 23rd, at one o'clock p. m.

Said resolution was concurred in.

Mr. William Duffy moved that the vote by which said resolution was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Gardner moved that House Bill 86 be recommitted to the Committee on Agriculture with leave to report at any time.

Said motion was agreed to.

By the unanimous consent of the House the Hon. Cleve Kinkaid, Ex-member of this House, was granted the privilege of the floor of the House.

Mr. Hobbs moved that he be given the unanimous consent of the House to report the printed bill of House Bill 428 instead of the original House Bill of the same number, the original having been lost.

Said motion was agreed to.

Mr. McMurray called from the Clerk's desk for consideration a resolution of the following title, viz.:

S. Res. 13. Joint resolution petitioning Congress to enact legislation for the prevention of loss by floods.

Said resolution reads as follows, viz.:

Whereas, the frequent floods of the Mississippi River, caused by waters from thirty-one States, embracing more than 41 per cent. of the total area of the United States, result in great loss of human lives in portions of the States of Illinois, Tennessee, Kentucky, Mississippi, Missouri, Arkansas, and Louisiana, and large money losses, not only in such afflicted territory, but in other portions of the nation; and,

Whereas, it has been declared by every member of the Engineer Corps of the United States Army who has dealt with such floods, by the Mississippi River Commission and by other commissions appointed by Congress, that such floods can be prevented at a reasonable cost; and,

Whereas, the work of such flood prevention has been going on for many years in the least economical way and over two-thirds of its cost has been borne by the damaged sections, who can no longer cope with this giant problem without effective aid from the National Government; and,

Whereas, all political parties have declared in their campaign platforms that flood control of the Mississippi River is a national duty; therefore be it

Resolved, by the Senate of the State of Kentucky, the House of Representatives concurring, that the Congress of the United States be, and is hereby, requested to fulfill this national duty at its next session, and to enact such legislation as shall provide a separate and comprehensive plan for the prevention of such floods without delay; and be it further

Resolved, that copies of this resolution be sent to the Speaker of the House of Representatives, the President of

the Senate of the Congress of the United States and to each member of the Senate and House of Representatives of this State in Congress.

Said resolution was concurred in.

Mr. Duncan moved that Senate Bill 111 be made a special order for tomorrow at 11 o'clock.

Said motion was agreed to.

Mr. Meyers moved that the Speaker appoint a committee of three to escort Mrs. Cora Wilson Stewart to the Speaker's stand, and to include in said committee her brother, the Hon. Bun Wilson.

Said motion was agreed to.

In accordance with said motion the Speaker appointed the following committee, viz.:

Bun Wilson, Bannie Tabor, L. M. Smith and Harry J. Meyers.

Mr. Hobbs moved that the Speaker appoint a committee of three to notify the Senate that the House is now ready to receive the Senate in joint session to hear the address to be delivered by Mrs. Cora Wilson Stewart.

Said motion was agreed to.

In accordance with said motion the Speaker appointed Messrs. Hobbs, McMurray and Howard as such committee.

The hour of twelve o'clock meridian having arrived, the hour for the joint order of the day, in accordance with the concurrent resolution adopted on January the 21st, viz.:

S. Res. 8. Resolution inviting Mrs. Cora Wilson Stewart to address the General Assembly.

The Senate of Kentucky in order entered upon and took seats on the floor of the House of Representatives for the purpose of the execution of said joint order.

At the close of the address delivered by the said Mrs. Cora Wilson Stewart, the Senate retired and the Speaker of the House resumed the chair, and the House was in order.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

S. Res. 10. Resolution memoralizing Kentucky's Senators to urge the enactment of the "Shackelford Roads Bill."

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Murphy, of the Committee on Enrollments reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 22. An act authorizing the fiscal court in each county having therein a city of the second class to acquire

a law library and to provide for the maintenance and operation of same.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House, affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hutchcraft moved that the rules be suspended and that House Bill 312 be taken from the orders of the day and placed upon its passage.

Mr. Pumphrey moved that this House do now adjourn.

The yeas and nays being called for on said motion to adjourn by Messrs. Greene and Roach, were as follows, viz.:

Those who voted in the affirmative were—

Peter, Ampler	J. S. Hall	Richard Radcliffe
H. F. S. Bailey	A. B. Holland	D. S. Richardson
C. H. Bays	W. H. Jones	Joe Schneider
Chas. D. Bratcher	Wm. J. Kuh	E. D. Smith
Frank J. Brown	M. E. Lee	Claude B. Smith
R. A. Cook	Dr. J. E. Lilly	John W. Snider
S. B. Coleman	W. R. Lyon	Adam Spahn
James S. Cruse	Jacob Metzger	Bannie Tabor
W. E. Dowling	Harry J. Meyers	R. C. Tartar
William Duffy	S. Montgomery	F. C. Trivette
Odie Duncan	G. B. Moores	D. B. Tyra
J. R. Durham	John T. Murphy	John S. Webb
J. M. Elliston	B. F. McAtee	Frank M. White
T. T. Gardner	S. Mazyck O'Brien	J. D. Wills
Wm. Gearheart	A. J. Oliver	Louis E. Yewell
W. G. Gooch	William A. Perry	
C. H. Grimes	J. D. Pumphrey	—49

Those who voted in the negative were—

W. H. Brown	J. M. Howell	John T. Roach
E. Bullock	R.B.Hutchcraft,Jr.	L. M. Smith
A. S. Cooper	T. R. Jones	Ed. D. Stone
R. T. Crowe	Dr. C. W. Mathers	Robt. R. Treadway
S. C. Dobbs	Claude D. Minor	J. Wood Vance
Jas. R. Dorman	W. J. McMurray	J. W. Wall
Frank C. Greene	L. T. Neat	M. O. Wilson
L. B. Hamilton	C. B. Nichols	E. S. Wood
W. C. G. Hobbs	A. B. Pieratt	E. G. Young
David J. Howard	Harry P. Purnell	—29

And so said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 18, 1916.

The House was opened with prayer by the Rev. I. E. D. Andrews, Pastor of the Baptist Church, of Elizabethtown, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

By the unanimous consent of the House Mr. Gardner was granted an indefinite leave of absence.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Duncan:

H. B. 509. An act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

To the Committee on Kentucky Statutes.

By same:

H B. 510. An act to regulate the grading, packing, marking, shipping and sale of apples, and also to name the standard barrel for same.

To the Committee on Agriculture.

By Mr. Spahn:

H. B. 511. An act to repeal and re-enact section 567 of the Kentucky Statutes.

To the Committee on Judiciary.

By Mr. Perry:

H. B. 512. An act to repeal and re-enact section 567 of the Kentucky Statutes.

To the Committee on Judiciary.

By Same:

H. B. 513. An act concerning escheat, repealing and re-enacting subsection 27 of section 2879a of Kentucky Statutes, 1915.

To the Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 514. An act dividing the Commonwealth of Kentucky into thirty-eight Senatorial Districts.

To the Committee on Redistricting, Legislative.

By Mr. Moores:

H. B. 515. An act to repeal section 1697 of the Kentucky Statutes, relating to exemptions.

To the Committee on Way and Means.

By Mr. Richardson:

H. B. 516. An act to confer upon the fiscal courts of the

several counties of this State the right to designate what road or parts of roads shall be constructed under State aid, and to accept, modify or reject the plans and specifications provided therefor.

To the Committee on Public Roads and Highways.

By same:

H. B. 517. An act to authorize any magisterial district or districts, or voting precinct or precincts to issue a bonded debt for the purpose of constructing or reconstructing public roads where the question of issuing bonds for such purposes is defeated by the votes of the entire county.

To the Committee on County and City Courts.

By Mr. Ampler:

H. B. 518. An act creating the office of county detective in all counties wherein a city of the second class is located, prescribing his duties and fixing his compensation.

To the Committee on Municipalities.

By Mr. Hobbs:

H. B. 519. An act to amend and re-enact section 786 of the Kentucky Statutes.

To the Committee on Criminal Law.

By Mr. Spahn:

H. B 520. An act to require any guardian, executor, administrator or curator of trust estates, or committee of person of unsound mind, receiver or trustee for persons or estates to

permit examination books and accounts, and to prohibit the purchase of trust property by any person or corporation acting in fiduciary capacity, and providing penalties for violation of the act.

To the Committee on Judiciary.

Mr. Speaker Duffy stated to the House that Senate Bill 22, which was reported to the House, was by mistake referred to the Committee on Redistricting, Judicial, and that said Senate Bill 22 is now referred to the Committee on Rules.

Mr. Hamilton moved that a vote of the House be taken as to whether or not the Committee on Revenue and Taxation had held House Bill 79 an unreasonable length of time without reporting same.

Said motion was agreed to.

Mr. Perry, chairman of the Committee on Revenue and Taxation, then reported a bill of the following title, viz.:

H. B. 79. An act relating to revenue and taxation, repealing section 1, subdivision 4, article 12, chapter 22 of the Session Acts of 1906, being section 4224 Kentucky Statutes and enacting and substituting in lieu thereof the following.

By same:

H. B. 88. An act to amend an act entitled an act relating to revenue and taxation, providing for license taxes on compounded, rectified, adulterated or blended distilled spirits, known and designated as single-stamp spirits, and providing penalties for violations of its provisions.

On February 15th, Mr. Oliver moved that a vote of the House be taken as to whether or not House Bill 88 had re-

mained in the hands of the Committee on Revenue and Taxation an unreasonable length of time without reporting same, at which time said motion was agreed to. However, at that time, Mr. Perry, the chairman of the Committee on Revenue and Taxation, stated that said bill could not be reported as he had left same in his room at the hotel. He therefore reports said bill today.

Said bills having been read the first time at length the same were ordered to be placed in the calendar.

Mr. Minor offered the following joint resolution, viz.:

Joint resolution calling on Kentucky Senators and Congressmen to use all reasonable means to defeat the proposed amendment to the Federal Reserve Act, permitting National banks to establish branches.

Whereas, the Federal Reserve Board has recommended to Congress six amendments to the Federal Reserve Act, one of which provides that National banks be authorized to establish branch offices within the city or county in which they are located; and,

Whereas, under the laws of the Commonwealth of Kentucky State banks are prohibited from establishing branch banks, and to permit National banks to do so would be unfair to State banks; therefor,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That each and all the Kentucky Senators and Representatives in Congress be and they are requested to vote against any amendment undertaking to extend the authority of National banks so that they may establish and operate branch institu-

tions, and to use all reasonable and proper means to encompass the defeat of such an amendment.

Ordered that said resolution lie on the clerk's desk.

Mr. Pumphrey called up from the clerk's desk for consideration a resolution of the following title, viz.:

H. Res. 12. Resolution providing for the appointment of a commission to investigate the conditions as to feeble-mindedness among the inhabitants of the State of Kentucky.

(For said resolution see House Journal of February 10th.)

Said resolution was adopted.

A message was received from the Senate announcing that they had passed bills which had originated in that body of the following titles, viz.:

S. B. 191. An act authorizing the acceptance of gifts and trusts regarding education by boards of education and regulating their administration.

To the Committee on Education.

S. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of the State of Kentucky, and to require teachers to be examined in the subject of elementary agriculture.

To the Committee on Education.

S. B. 173. An act for the protection of game birds and game animals; fixing open and closed seasons and providing penalties for violation.

To the Committee on Fish and Game.

S. B. 133. An act for the protection of fish; providing method for catching thereof and fixing penalties for violation thereof.

To the Committee on Fish and Game.

S. B. 134. An act amending an act entitled "An act for the protection of game and fish."

To the Committee on Fish and Game.

Mr. Lee moved that the rules be suspended and that House Bill 377 be taken from the orders of the day and made a special order for Thursday, February 24th, at 11 o'clock a. m.

Said motion was agreed to.

The hour for the special order of the day, 11 o'clock a. m., having arrived, the House took up for consideration a bill of the following title, viz.:

S. B. 111. An act to amend and re-enact subsections 5 and 14 of section 4421a, Kentucky Statutes, edition 1915, which are sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 5 of section 4421a, Kentucky Statutes, edition 1915, be and the same is hereby amended and re-enacted so as to read as follows:

Such bids and proposals shall be for furnishing books during a period of five years. The bids shall state specifically the list price, the net contract prices at which books are to be furnished to dealers within a county, and the exchange and retail prices to pupils, and shall be accompanied by a specimen copy of every book proposed to be furnished. All bids shall be sealed and deposited with the chairman of the commission to be by him delivered to the commission in executive session, when they shall be opened in the presence of the commission. It shall be the duty of the chairman of the commission to carefully preserve in his office for comparison the specimen copy of each of the books adopted, together with the original bid or proposal, and when requested to return to the publishers the specimen copies of other books submitted at their expense. Provided, however, that when the present contracts now existing for the furnishing of text books shall have expired by the terms thereof the commission shall arrange for a continuance of such contracts until new contracts may be entered into as required by this act, but the commission may make a new adoption as required by law on not exceeding three branches in any one year, and when an adoption is made the contract shall be for the furnishing of such books for a period not to exceed five years, and the commission shall make a gradual change in the text books, if any change is deemed necessary, from year to year until there has been a complete new adoption, and when such new adoption is made in each instance the contract shall provide for the furnishing of text books for a period not less than five years. At the expiration of any new contract another adoption may be made for the same branches for a period not less than five years.

§ 2. That subsection 14 of the above mentioned section be amended and re-enacted so as to read as follows:

For the distribution and sale of books adopted by the State Text Book Commission to the patrons of the schools

of the State, the county board of education or the city board of education, as herein prvided, shall appoint one or more responsible merchant or person or other agent in each educational division in every county of the State selected with reference to the convenience of the patrons of the schools as dealers of text books, and such dealers shall receive fifteen per cent. of the retail price at which the same books are sold, and out of the said fifteen per cent. of the retail price at which said books are sold such dealer shall pay the transportation charges and all other charges on the said books. Such dealers shall be of good financial rating, but no contractor shall have the right to refuse to furnish books to such dealer on the ground that his financial rating is not good in the event such dealer executes a bond approved by the county superintendent for the faithful performance of his duties, and that he will well and truly pay over to such contractor all money coming into his hands belonging to the contractor.

Said dealers shall exchange new books for old ones of the same grade displaced by said adoption, at the exchange price herein provided for, during the first year of the life of each and every contract made under the provisions of this act. All bids and proposals shall set out clearly and specifically an exchange price at which such book or books shall be furnished to pupils and patrons who may have old books on the same subject, and which may be exchanged for new books, and the exchange prices shall, in all cases, be subject to the terms of the contract made between the State and any publisher bidding. Such new books as are held in Kentucky nor or at any future adoption by purchase by dealers, and in good condition, shall be taken in exchange at the original net price by successful bidders from such dealers as held in stock such books.

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. Bailey offered the following amendment to said bill, viz.:

Amend Senate Bill 111, section one, by striking out the words "five years" in line five and inserting in lieu thereof the words "ten years," and further amend said section one by striking out the words "five years" in line 28 and inserting in lieu thereof the words "ten years," and further amend said section one by striking out the words "five years" in line thirty and inserting in lieu thereof the words "ten years."

The yeas and nays being called for on said amendment by Messrs. Bailey and Stone, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	C. H. Grimes	John T. Roach
C. H. Bays	L. B. Hamilton	Thomas Spurrier
Chas. D. Bratcher	W. B. Harvey	Ed. D. Stone
G. G. Brashear	R. B. Jackson	R. C. Tartar
W. H. Brown	J. M. Johnson	Robt. R. Treadway
E. Bullock	W. H. Jones	J. Wood Vance
R. A. Cook	W. R. Lyon	John S. Webb
A. S. Cooper	G. B. Moores	Frank M. White
W. P. Cropper	E. B. McGlone	J. D. Wills
James S. Cruse	L. T. Neat	M. O. Wilson
Thomas A. Dover	A. J. Oliver	E. S. Wood
J. M. Elliston	A. B. Pieratt	E. G. Young
Frank C. Greene	Harry P. Purnell	—38

Those who voted in the negative were—

Peter Ampler	S. C. Dobbs	W. G. Gooch
Frank J. Brown	Jas. R. Dorman.	W. C. G. Hobbs
Glover H. Cary	W. E. Dowling	A. B. Holland
S. B. Coleman	William Duffy	David J. Howard
R. T. Crowe	Odie Duncan	J. M. Howell
H. C. Cummins	J. R. Durham	Chas. L. Hunter

R.B.Hutchcraft,Jr.	John T. Murphy	D. S. Richardson
T. R. Jones	B. F. McAtee	Joe Schneider
H. Clay Kauffman	W. J. McMurray	L. M. Smith
Wm. J. Kuh	C. B. Nichols	E. D. Smith
W. T. Lasley	S. Mazyck O'Brien	Claude B. Smith
M. E. Lee	William A. Perry	John W. Snider
Dr. J. E. Lilly	Geo. L. Pickett	Adam Spahn
Dr. C. W. Mathers	W. A. Price	D. B. Tyra
Harry J. Meyers	J. D. Pumphrey	Louis E. Yewell
S. Montgomery	Richard Radcliffe	—47

And so said amendment was disagreed to.

Mr. White offered the following amendment to said bill, viz.:

Amend S. B. 111 by adding after line 30, section 1, the following:

All arithmetics, except intellectual arithmetics, hereafter adopted, shall contain answers immediately following the reading of problems; and the chapter of the histories to be divided into sections and the subjects of the sections to be printed in large type.

The yeas and nays being called for on said amendment by Messrs. White and Dover, were as follows, viz.:

Those who voted in the affirmative were—

C. H. Bays	C. H. Grimes	Thomas Spurrier
Chas. D. Bratcher	J. S. Hall	Ed. D. Stone
G. G. Brashear	R. B. Jackson	R. C. Tartar
W. H. Brown	W. H. Jones	Robt. R. Treadway
E. Bullock	G. B. Moores	Frank M. White
A. S. Cooper	L. T. Neat	M. O. Wilson
James S. Cruse	A. J. Oliver	E. S. Wood
Thomas A. Dover	Harry P. Purnell	
Frank C. Greene	Lewis Ryans	—25

Those who voted in the negative were—

Peter Ampler	David J. Howard	Geo. L. Pickett
H. F. S. Bailey	Chas. L. Hunter	A. B. Pieratt
Frank J. Brown	R.B.Hutchcraft,Jr.	W. A. Price
Glover H. Cary	T. R. Jones	J. D. Pumphrey
S. B. Coleman	H. Clay Kauffman	Richard Radcliffe
W. P. Cropper	Wm. J. Kuh	D. S. Richardson
R. T. Crowe	W. T. Lasley	John T. Roach
H. C. Cummins	M. E. Lee	Joe Schneider
S. C. Dobbs	Dr. J. E. Lilly	L. M. Smith
Jas. R. Dorman	Dr. C. W. Mathers	E. D. Smith
W. E. Dowling	Harry J. Meyers	Claude B. Smith
William Duffy	S. Montgomery	John W. Snider
Odie Duncan	John T. Murphy	D. B. Tyra
J. R. Durham	B. F. McAtee	J. Wood Vance
J. M. Elliston	W. J. McMurray	John S. Webb
W. G. Gooch	C. B. Nichols	Louis E. Yewell
W. C. G. Hobbs	S. Mazyck O'Brien	E. G. Young
A. B. Holland	William A. Perry	—53

And so said amendment was disagreed to.

Mr White offered the following amendment to said bill, viz.:

Amend S. B. 111 by adding after the word year in line 22, section 1, the following words:

Such adoption to be made not later than April the first of each year.

The yeas and nays being called for on said amendment by Messrs. White and Dover were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	C. H. Grimes	Harry P. Purnell
C. H. Bays	R. B. Jackson	John T. Roach
Chas. D. Bratcher	J. M. Johnson	Lewis Ryans
G. G. Brashear	W. H. Jones	Thomas Spurrier
W. H. Brown	W. R. Lyon	Ed. D. Stone
E. Bullock	G. B. Moores	R. C. Tartar
A. S. Cooper	W. J. McMurray	Robt. R. Treadway
James S. Cruse	L. T. Neat	Frank M. White
Thomas A. Dover	A. J. Oliver	J. D. Wills
Frank C. Greene	W. A. Price	M. O. Wilson

—30

Those who voted in the negative were—

Peter Ampler	David J. Howard	William A. Perry
Frank J. Brown	Chas. L. Hunter	Geo. L. Pickett
Glover H. Cary	R.B.Hutchcraft,Jr.	A. B. Pieratt
S. B. Coleman	H. Clay Kauffman	J. D. Pumphrey
W. P. Cropper	Wm. J. Kuh	Richard Radcliffe
Jas. R. Dorman	W. T. Lasley	D. S. Richardson
W. E. Dowling	M. E. Lee	Joe Schneider
William Duffy	Dr. J. E. Lilly	E. D. Smith
Odie Duncan	Dr. C. W. Mathers	Claude B. Smith
J. M. Elliston	Harry J. Meyers	John W. Snider
W. G. Gooch	S. Montgomery	D. B. Tyra
J. S. Hall	John T. Murphy	John S. Webb
L. B. Hamilton	B. F. McAtee	Louis E. Yewell
W. C. G. Hobbs	C. B. Nichols	E. G. Young
A. B. Holland	S. Mazyck O'Brien	

—44

And so said amendment was disagreed to.

Mr. Meyers moved that the regular orders of the day be postponed until after the matter under consideration be disposed of.

Said motion was agreed to.

Mr. Mathers moved the previous question.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	David J. Howard	Geo. L. Pickett
H. F. S. Bailey	J. M. Howell	A. B. Pieratt
Frank J. Brown	Chas. L. Hunter	W. A. Price
W. H. Brown	R.B.Hutchcraft,Jr.	J. D. Pumphrey
Glover H. Cary	J. M. Johnson	Richard Radcliffe
S. B. Coleman	T. R. Jones	D. S. Richardson
W. P. Cropper	H. Clay Kauffman	John T. Roach
R. T. Crowe	Wm. J. Kuh	Lewis Ryans
H. C. Cummins	W. T. Lasley	Joe Schneider
S. C. Dobbs	M. E. Lee	L. M. Smith
Jas. R. Dorman	Dr. J. E. Lilly	E. D. Smith
W. E. Dowling	Dr. C. W. Mathers	Claude B. Smith
William Duffy	Harry J. Meyers	John W. Snider
Odie Duncan	Claude D. Minor	Adam Spahn
J. R. Durham	S. Montgomery	R. C. Tartar
J. M. Elliston	G. B. Moores	F. C. Trivette
W. G. Gooch	John T. Murphy	D. B. Tyra
Frank C. Greene	B. F. McAtee	J. Wood Vance
L. B. Hamilton	W. J. McMurray	John S. Webb
W. B. Harvey	C. B. Nichols	J. D. Wills
W. C. G. Hobbs	S. Mazyck O'Brien	Louis E. Yewell
A. B. Holland	William A. Perry	E. G. Young

—66

Those who voted in the negative were—

C. H. Bays	Thomas A. Dover	A. J. Oliver
Chas. D. Bratcher	C. H. Grimes	Harry P. Purnell
G. G. Brashear	J. S. Hall	Robt. R. Treadway
E. Bullock	R. B. Jackson	Ed. D. Stone
A. S. Cooper	W. H. Jones	Frank M. White
James S. Cruse	E. B. McGlone	M. O. Wilson

—18

Resolved that the title thereof be as aforesaid.

Mr. Duncan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By the unanimous consent of the House the Hon. John D. Hinton, ex-member of this House, was granted the privilege of the floor of the House.

Mr. Vance moved that the rules be suspended and that House Bill 483 be taken from the orders of the day and made a special order for Wednesday, February 23rd, at 2 o'clock p. m.

Said motion was agreed to.

Messrs. Hobbs and Nichols laid before the House the following communication, viz.:

To the House of Representatives,
State Capitol,
Frankfort, Kentucky.

Gentlemen:—

As President of the Lexington Board of Commerce, I have the honor, on behalf of the Board of Commerce of the city of Lexington, to extend to the House of Representatives of the General Assembly of Kentucky, through Representatives Hobbs and Nichols of the county of Fayette, a most cordial invitation to visit the city of Lexington on February the twenty-second, or at such other time as may suit the pleasure and convenience of the Executive and both branches of the General Assembly.

Respectfully,
(Signed) J. C. HUNT,
President Lexington Board of Commerce.

Mr. Perry moved that the Speaker appoint a committee of three to act in conjunction with a like committee from the Senate to accept said invitation and notify the Board of Commerce of Lexington, Kentucky, of such acceptance.

Said motion was agreed to.

In accordance with said motion the Speaker appointed the following members of the House as said committee, viz.:

Messrs. Meyers, Cary and Dowling.

By the unanimous consent of the House Mr. Wills was granted an indefinite leave of absence.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 112. An act to amend section 3 of an act approved March 11, 1902, entitled, "An act for the better enforcement of an act approved March 10, 1894, entitled, 'An act whereby the

sense of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein, and to amend section 4 of said act.' ''

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3 of an act approved March 11, 1902, entitled, ''An act for the better enforcement of an act approved March 10, 1894, entitled, 'An act whereby the sense of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein, and to amend section 4 of said act,' '' being subsection 3 of section 2557b of the Kentucky Statutes, be and the same is hereby amended and re-enacted so that same when amended and re-enacted will read as follows:

§ 3. On the second or any subsequent conviction for a violation of said act, or any of its amendments, the court shall require the defendant to execute bond in the sum of two hundred dollars to be of good behavior for the period of twelve months.

The court may, in its discretion, increase the amount of the bond, and if the bond is not given the defendant shall be committed to the county jail for a period not exceeding ninety days, to be fixed by the court.

On the second or any subsequent conviction for a violation of said act, or any of its amendments, committed after a former conviction for a violation of said act, or any of its amendments, the defendant shall be confined in the penitentiary for not less than one nor more than two years.

Mr. F. J. Brown offered the following amendment to said bill, viz.:

Amend House Bill No. 112 by striking out the words in section 3, line nine, "second or any subsequent," and inserting in lieu thereof the word "first."

Said amendment was agreed to.

Ordered that said bill, as amended, be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, and said bill as amended being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	S. C. Dobbs	David J. Howard
H. F. S. Bailey	Jas. R. Dorman	J. M. Howell
C. H. Bays	Thomas A. Dover	Chas. L. Hunter
Chas. D. Bratcher	W. E. Dowling	R.B.Hutchcraft,Jr.
G. G. Brashear	William Duffy	J. M. Johnson
Frank J. Brown	Odie Duncan	T. R. Jones
W. H. Brown	J. R. Durham	W. H. Jones
E. Bullock	J. M. Elliston	H. Clay Kauffman
Glover H. Cary	Frank C. Greene	Wm. J. Kuh
A. S. Cooper	C. H. Grimes	W. T. Lasley
S. B. Coleman	J. S. Hall	M. E. Lee
W. P. Cropper	L. B. Hamilton	Dr. J. E. Lilly
R. T. Crowe	W. B. Harvey	W. R. Lyon
James S. Cruse	W. C. G. Hobbs	Dr. C. W. Mathers
H. C. Cummins	A. B. Holland	Harry J. Meyers

Claude D. Minor	J. D. Pumphrey	R. C. Tartar
S. Montgomery	Harry P. Purnell	Robt. R. Treadway
G. B. Moores	Richard Radcliffe	F. C. Trivette
John T. Murphy	D. S. Richardson	D. B. Tyra
B. F. McAtee	John T. Roach	J. Wood Vance
E. B. McGlone	Lewis Ryans	John S. Webb
W. J. McMurray	Joe Schneider	Frank M. White
L. T. Neat	L. M. Smith	J. D. Wills
C. B. Nichols	E. D. Smith	M. O. Wilson
S. Mazyck O'Brien	Claude B. Smith	E. S. Wood
William A. Perry	John W. Snider	Louis E. Yewell
Geo. L. Pickett	Adam Spahn	E. G. Young
A. B. Pieratt	Thomas Spurrier	
W. A. Price	Ed. D. Stone	—85

Mr. F. J. Brown offered the following amendment to the title of said bill, viz.:

Amend by inserting the words "Carroll's edition 1915" after the word "statutes" in line 6 of the title.

Said amendment was agreed to.

Mr. Pumphrey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Spurrier moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

SATURDAY, FEBRUARY 19, 1916.

The House was opened with prayer by the Rev. J. L. Alderson, Assistant Pastor of the Christian Church, of Frankfort, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

Mr. Speaker Duffy laid before the House the following announcement, viz:

The House of Representatives of Kentucky:

I hereby appoint the Hon. J. D. Pumphrey to preside as Speaker over the Assembly today.

Witness my hand this 19th day of Feb., 1916.

(Signed) H. C. DUFFY, Speaker.

Thereupon Mr. Pumphrey took the chair and presided as Speaker pro tem.

Mr. Meyers noted the absence of a quorum present.

Mr. Meyers suggested the death of Mrs. Metzger, wife of the Hon. Jacob Metzger, a member of this House.

Mr. Meyers moved that this House do now adjourn out of respect to the memory of Mrs. Metzger, the wife of the Hon. Jacob Metzger, a member of this House, until Wednesday next at 1 o'clock p. m.

Said motion was agreed to.

And then the House adjourned until Wednesday, February 23rd, at 1 o'clock p. m.

WEDNESDAY, FEBRUARY 23, 1916.

The House was opened with prayer by the Rev. J. T. McGlothlin, Pastor of the Baptist Church, of Frankfort, Kentucky.

The reading of the House Journal of Saturday, February 19, 1916, was dispensed with.

By the unanimous consent of the House the Hon. J. M. Hall, Hon. Bert C. Frazier, Hon. W. L. Hampton and Hon. A. J. Counts, ex-members of the House, were granted the privilege of the floor of the House.

By the unanimous consent of the House the Hon. C. B. Nichols, Hon. John S. Webb, Hon. Henry A. Cannon and Hon. L. B. Hamilton were granted an indefinite leave of absence.

Upon a call of the Counties and Representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Dobbs:

H. B. 521. An act relating to docket fees in proceedings for the assessment of omitted personal property.

To the Committee on Revenue and Taxation.

By Mr. Spahn:

H. B. 522. An act to regulate the manufacture, sale or other disposal of poisonous fly paper or poisonous fly killer and to provide penalty for the violation thereof.

To the Committee on Public Health.

By Mr. Perry:

H. B. 523. An act for the benefit of the Kentucky Institution for the Education of the Blind, to provide for the education, training and employment of the blind of the Commonwealth.

To the Committee on Charitable Institutions.

By Mr. W. M. Webb:

H. B. 524. An act to amend and re-enact Section 4128 Kentucky Statutes, Carroll's Edition 1915, relating to the granting of appeals from the actions of County Boards of Supervisors of Tax.

To the Committee on County and City Courts.

By Mr. Tartar:

H. B. 525. An act to regulate and fix the time and terms for holding court in the 34th Judicial District.

To the Committee on Circuit Courts.

By Mr. Radcliffe (by Request):

H. B. 526. An act appropriating seven hundred dollars to supplement funds raised by popular subscription for the erection of a bust of the late Chief Justice W. S. Pryor in the Court of Appeals room, and designating Representatives to act for the State in the matter.

To the Committee on Appropriations.

By Mr. Purnell:

H. B. 527. An act to amend an act relating to payment of Sheriff's fees, for collecting school tax.

To the Committee on Kentucky Statutes.

A message was received from the Senate announcing that they had concurred in bills which had originated in the House of the following titles, viz.:

H. B. 75: An act changing the times for holding the sessions of Circuit Courts of the Twenty-first Circuit Court District of Kentucky.

H. B. 49: An act to amend the Kentucky Statutes, Chapter 89, Section 2928a, by adding thereto Section 2928b, creating the office of Court Matron for the Police Court of Cities of the 1st Class and prescribing her rights, duties and compensation.

Also that they had adopted a resolution of the following title, viz.:

S. Res. 15: Resolution appropriating money for the Legislative Digest and designating it as the official publication of this General Assembly.

Said Resolution reads as follows, viz.:

Resolution providing for the adoption of the Legislative Digest as the official publication of this General Assembly and to purchase copies of same for the members of the General Assembly and certain officials.

Whereas, It is a matter of importance and convenience

that each Senator and Representative be advised as to the various and detailed steps of Legislation; and,

Whereas, There is a publication under the editorship and management of competent and experienced persons known as "The Legislative Digest," the purpose of which is to fully advise from day to day, the officials and public of the Commonwealth as to all matters affecting them in an intelligent, useful and prompt manner; therefore, Be it resolved, by the Senate of Kentucky, the House of Representatives concurring, that the purpose of the Legislative Digest be approved, and the same be adopted as the official publication of this General Assembly; that the publishers are hereby directed to furnish daily a copy to each member and Chief Clerk of the General Assembly and to the heads of each State Department; that the publishers are allowed the sum of ten dollars ($10.00) for each subscription for the session, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount when such service has been concluded.

Said resolution was referred to the Committee on Appropriations.

Also that they had passed bills which had originated in that body of the following titles, viz.:

S. B. 65: An act to amend Chapter 89, Section 2928a, Kentucky Statutes.

To the Committee on Municipalities.

S. B. 24: An act to provide for the erection, organization and maintenance of county high schools jointly by two or more adjacent counties.

To the Committee on Education.

S. B. 242. An act to regulate the time of holding the terms of Circuit Court in the Thirteenth Judicial District and the length of said terms, and declaring an emergency.

To the Committee on Circuit Courts.

S. B. 236. An act to amend Section 965, Kentucky Statutes, as amended by act approved March 22, 1910, changing times and terms for the sessions of courts for the First Judicial District.

To the Committee on Circuit Courts.

S. B. 74. An act to regulate the shipment of intoxicating liquors into local option territory, and prohibiting any person from receiving in excess of a certain quantity of such liquors in said territory, and prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

To the Committee on Alcoholic Liquor Traffic.

S. B. 256. An act to empower the Board of Penitentiary Commissioners to convey land to the United States Government, lands for purposes of building locks and dams, and ceding such lands, when so conveyed.

To the Committee on Kentucky Statutes.

S. B. 289. An act to repeal and re-enact Section 66 of Article 3, Chapter 5, of Carroll's Kentucky Statutes.

To the Committee on Agriculture.

Also that it had failed to concur in the House amendments to Senate Bill 131.

Mr. Hobbs moved that the Speaker appoint a Committee of three, to be designated as a Conference Committee, to confer with a like Committee from the Senate on House amendments to Senate Bill 131.

Said motion was agreed to.

In accordance with said motion the Speaker appointed the following as such Committee, viz.:

Messrs. L. M. Smith, R. A. Cook and H. J. Meyers.

Mr. Dowling presented a petition signed by sundry citizens of Anderson County urging the passage of House Bill 312, providing the appropriation of money to the Illiteracy Commission for the benefit of the illiterate men and women of Kentucky.

Said petition was received, read, and referred to the Committee on Appropriations.

Mr. Lee moved that the House rescind the action by which the amendment to the title of House Bill 112 was carried on Friday, February 18, 1916.

Said motion was agreed to.

Mr. Minor called from the Clerk's desk for consideration a resolution of the following title, viz.:

H. Res. 15. Joint resolution calling on Kentucky Senators and Congressmen to use all reasonable means to defeat a proposed amendment to the Federal Reserve Act, permiting National Banks to establish branches.

(For said resolution see House Journal of February the 18th.)

Said resolution was adopted.

Mr. Minor moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour for the special order having arrived, viz., 2 o'clock p. m.

The House took up for consideration a bill of the following title, viz.:

H. B. 483. An act repealing Section 4385, Kentucky Statutes, Carroll's Edition of 1915, and re-enacting same, so as to give the State Superintendent of Public Instruction authority to appoint additional clerks and stenographers for the State Department of Education, and providing for the payment of said appointees out of the State School Fund.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4385, Chapter 113, Article 4, of Kentucky Statutes, Carroll's Edition, 1915, be and the same is hereby repealed, and the following enacted in lieu thereof:

The Superintendent of Public Instruction shall receive a salary of two thousand five hundred dollars, and the additional amount he receives as chief inspector and examiner of schools, per annum; besides which he shall be entitled to all office fixtures, stationery, books, postage, fuel and light needed to carry on the work of his office. The Superintendent of

Public Instruction shall have the power to appoint for his department clerks and stenographers, hereinafter enumerated, who shall serve for the term for which he is elected, unless sooner removed by him. They shall perform such duties, not otherwise provided by law, as may be assigned them by the Superintendent of Public Instruction for the furtherance of the discharge of his duties.

There shall be a chief clerk, who, in case of the absence or sickness of the Superintendent of Public Instruction, shall perform the duties of the latter, and said clerk's salary shall be fifteen hundred dollars per annum, payable monthly, out of the school fund, by the State Treasurer.

There shall be a first clerk and a second clerk, each of whom shall be paid a salary of twelve hundred dollars per annum, payable monthly out of the school fund by the State Treasurer.

There shall be a third clerk, who shall be paid a salary of one thousand dollars per annum, payable monthly, out of the school fund by the State Treasurer.

There shall be a fourth clerk, who shall be paid a salary of eight hundred and fifty dollars per annum, payable monthly out of the school fund by the State Treasurer.

There may be two stenographers and typewriters, who shall receive and be paid one thousand two hundred dollars each per annum, and two stenographers and typewriters who shall receive and be paid one thousand dollars each per annum and one stenographer and typewriter who shall receive nine hundred dollars per annum, payable monthly out of the school fund by the State Treasurer.

§ 2. It is not the intention of this act to repeal any act or

part of an act heretofore enacted, except Section 4385, Chapter 113, Article 4 of the Kentucky Statutes, Carroll's Edition 1915.

§ 3. As there is now no warrant of law for the employment and payment of stenographers and typewriters in the Department of Education and as there is an enormous amount of mail and letters to be answered and bulletins, such as the school law and biennial reports, to be edited and as it is impossible for said Educational Department to be efficiently maintained without said clerks, stenographers and typewriters, an emergency is declared to exist, and this act shall take effect from and after its passage and approval by the Governor.

Mr. Bailey offered the following amendment to said bill, viz.:

Amend H. B. 483 by striking out the words "and typewriters" in lines 29 and 31 of the printed bill, and by striking out the words "and typewriter" in line 32 of the printed bill.

Said amendment was agreed to.

Mr. Lyon offered the following amendment to said bill, viz.:

Strike out all of H. B. 483 beginning with line 4, and substitute following:

The Superintendent of Public Instruction shall be allowed the sum of $7,500.00 per year to be expended for clerical services to be paid out of the school fund of the State Treasury.

Said amendment was disagreed to.

Mr. Mathers offered the following amendment to said bill, viz.:

Strike out in line 20 the words "first clerk," also in same line "each."

Said amendment was disagreed to.

Mr. Kauffman offered the following amendment to said bill, viz.:

Strike out lines 26, 27 and 28 and that portion of lines 32 and 33 beginning with "and" in line 32 and ending with the word "per annum" in line 33.

Said amendment was disagreed to.

Ordered that said bill as amended be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank J. Brown	A. S. Cooper
H. F. S. Bailey	W. H. Brown	S. B. Coleman
C. H. Bays	E. Bullock	James S. Cruse
Chas. D. Bratcher	Glover H. Cary	H. C. Cummins

S. C. Dobbs
Jas. R. Dorman
Thomas A. Dover
W. E. Dowling
William Duffy
J. R. Durham
J. M. Elliston
Wm. Gearheart
W. G. Gooch
Frank C. Greene
W. C. G. Hobbs
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B Hutchcraft,Jr.
R. B. Jackson
T. R. Jones
W. H. Jones
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
Harry J. Meyers
Claude D. Minor
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
S. Mazyck O'Brien
A. J. Oliver
William A. Perry
Geo. L. Pickett
W. A. Price
Richard Radcliffe
D. S. Richardson
John T. Roach
Lewis Ryans
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Adam Spahn
Ed. D. Stone
Bannie Tabor
R. C. Tartar
F. C. Trivette
D. B. Tyra
J. Wood Vance
J. W. Wall
W. M. Webb
Frank M. White
M. O. Wilson
E. S. Wood
Louis E. Yewell
E. G. Young

—72

Those who voted in the negative were—

R. A. Cook
H. Clay Kauffman
W. R. Lyon
A. B. Pieratt
Harry P. Purnell
J. D. Wills

—6

Resolved that the title thereof be as aforesaid.

Mr. T. R. Jones moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Perry moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

S. Res. 12. Resolution for the benefit of Mrs. Clara H. Stewart.

Whereupon all other business was suspended, said resolution read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

The Committee to which the same had been referred reported bills of the following title, viz.:

By Mr. Minor, of the Committee on Appropriations:

H. Res. 11. A resolution relating to costs and attorneys' fees in the contest case of S. C. Dobbs against W. C. Allen.

By Same:

H. B. 464. An act to provide for necessary clerical service for the State Library.

By Same:

S. Res. 9. A joint-resolution paying B. M. Hurshburg for services.

By Mr. Howard of the Committee on Criminal Law:

H. B. 370. An act to amend Section 1358, Subdivision 10, of Article 4, Chapter 36, of the Kentucky Statutes, Carroll's Edition of 1909, entitled "Crimes and Punishments." Section 1358 refers to sale or concealment of mortgaged property and providing a penalty therefor.

By Same:

H. B. 460. An act relating to crimes and punishment and making it unlawful for any person to falsely represent himself or herself as being blind, deaf, dumb, crippled or otherwise physically defective, and by such means obtaining money or property, aid or assistance, from any person, and providing a penalty for violation of the law.

By Same:

H. B. 501. An act prohibiting betting or wagering on horse races, other than at licensed racetracks, and prescribing a penalty therefor.

By Same:

S. B. 78. An act to declare the desertion of indegent children under the age of sixteen years a felony.

By Same:

H. B. 202. An act to prevent the employment of private guards and gunmen and fixing the penalty for so doing, as well as preventing anyone acting in the capacity of guard or gunman and fixing the penalty for so acting.

Reported with expression of opinion that same ought not to pass.

Mr. Hutchcraft moved that said bill be given its first reading, the report of the Committee to the contrary notwithstanding.

Said motion was agreed to.

By Mr. Pieratt of the Committee on Cities of the Fourth Class:

H. B. 203. An act to govern public schools in cities of the Fourth class.

With Committee amendment thereto.

By Same:

H. B. 307. To amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares in cities of the fourth class.

By Same:

H. B. 422. An act to amend an act entitled An Act For the Government of Cities of the Fourth Class.

By Mr. McAtee, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 471. An act to amend an act entiled An Act For the Government of Cities of the Fifth Class.

By Mr. White, of the Committee on Education:

H. B. 429. An act to amend and re-enact the last Section of Chapter 114, Acts of 1910, relating to colored visitors —elections.

By Same:

H. B. 449. An act permitting students of the Kentucky Normal and Industrial Institute for colored persons to take examinations for county certificates.

By Same:

H. B. 445. An act to require school teachers to take care of the public graded course of study and to deliver the same to the sub-district trustee at the close of the school.

By Same:

H. B. 440. An act to amend Section 4369, of Article 1, Chapter 113, Kentucky Statutes, Carroll's Edition 1915.

By Same:

H. B. 439. An act to define and construe the term "Theory and Practice of Teaching" wherever it occurs in the common school laws of Kentucky.

By Mr. Durham, of the Committee on Internal Improvements:

H. B. 373. An act to amend an act relating to the establishment, protection and building of levees for the public benefit; approved March 17, 1914.

By Mr. Ampler, of the Committee on Immigration and Labor:

H. B. 269. An act to require the redemption of script, etc., at face value.

By Mr. McMurray, of the Committee on Judiciary:

H. B. 455. An act to provide for the payment of the cost of fiduciary bonds, and permitting payment therefor out of the estate in the hands of such fiduciary.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

H. B. 397. An act to amend Section 4, of Article 8, of Chapter 76, of the Kentucky Statutes.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Same:

H. B. 393. An act to amend Section 538 of the Kentucky Statutes.

By Same:

H. B. 437. An act to authorize Fiscal Courts to pay attorneys appointed to defend indigent persons, accused and charged with crime, either misdemeanors or felonies, a reasonable fee for defending such persons.

By Same:

S. B. 56. An act to amend and re-enact an act entitled "An Act Relating To Fiscal Courts," approved March 13th,

1912, being Chapter 74 of the acts of 1912, and being also Section 1840a of the Kentucky Statutes.

By Same:

S. B. 88. An act to amend Section 3751, Kentucky Statutes.

By Mr. Price, of the Committee on Juvenile Courts and Children's Home:

S. B. 59. An act to prohibit public officers of this Commonwealth from seeking to have their salaries or the salaries of others increased during the term for which they are appointed or elected.

Mr. Hobbs, of the Committee on Municipalities:

S. B. 118. An act to amend and re-enact Sections 3194 and 3195 of the Kentucky Statutes, relating to the sinking fund in cities of the Second class.

Mr. Hobbs, of the Committee on Municipalities, with an amendment thereto:

H. B. 451. An act creating and relating to the office of County Road Engineer in counties containing more than 200,000 population and providing for his term of office, qualification, assistants and compensation, and repealing all laws in conflict herewith.

Mr. Coleman, of the Committee on Public Roads and Highways:

H. B. 466. An act to permit counties to vote a tax for the improvement and construction of the public roads and bridges of the county.

Mr. Perry, of the Committee on Revenue and Taxation:

H. B. 383. An act to repeal an act approved March 18, 1914, and known as Chapter 47 of the Session Acts of 1914, and entitled, "An act relating to poll or capitation tax and providing for the collection (of but) to put one poll tax from citizens of cities of the third class."

Mr. Perry, of the Committee on Revenue and Taxation:

H. B. 488. An act to amend an act entitled, "An act providing for the payment of interest on warrants issued for claims against the State of Kentucky, and fixing the order of payment thereof, and the funds from which said warrants shall be paid," approved May 8, 1897, by repealing said act and enacting a substitute therefor, which was neither approved nor disapproved by the Governor, being Chapter 72 of the Acts of 1910, and to amend an act entitled "An Act to Amend Section 3 of Chapter 72 of the Acts of 1910," approved by the Governor on March 17, 1914, being Chapter 27 of the Acts of 1914, by repealing both of said acts and enacting a substitute therefor.

Mr. Vance, of the Committee on Suffrage and Election:

S. B. 36. An act to provide for the burning or destroying of old election stub books.

Mr. Young, of the Committee on County and City Courts:

H. B. 491. An act to require the separation of white and colored prisoners in county jails, etc., etc.

Mr. McAtee, of the Committee on Cities of the Fifth and Sixth Class:

S. B. 178. An act to repeal an act entitled an act to incorporate the town of Dunnville in Casey county, being chapter 694 of Session Acts 1877-1878, and which act was approved March 30th, 1878.

Mr. Ampler, of the Committee on Immigration and Labor:

H. B. 77. An act to amend Section 2557a of the Kentucky Statutes, relating to the sale of intoxicating beverages.

Mr. Meyers, of the Committee on State Prisons and Houses of Reform:

S. B. 141. An act to amend and re-enact Section 2 of Chapter 70 of the Acts of the General Assembly of 1914, which relates to the parole of prisoners confined in the State penal institutions.

Mr. Meyers, of the Committee on State Prisons and Houses of Reform:

S. B. 142. An act to repeal and re-enact Chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony or misdemeanor.

Mr. William Duffy, of the Committee on Compensation for Industrial Injuries:

H. B. 327. An act to provide a uniform system of classification of risks, premium rates and schedule ratings for the Kentucky Employers' Insurance Association and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation Insurance Act; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Workmen's Compensation Board to fur-

nish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this act, and fixing the penalties for the violation thereof.

Said bills were severally read the first time at length and ordered placed in the calendar.

The House took up from the calendar for consideration bills of the following titles, viz.:

H. B. 424. An act for the benefit of the Kentucky Normal and Industrial School for colored persons.

S. B. 6. An act to amend Section 14 of an act entitled, "An act creating fiscal courts in the several counties in this Commonwealth, etc."

H. B. 411. An act to amend Section 490 of the Civil Code of Practice concerning the sale of real property and to authorize the confirmation of certain sales heretofore made.

H. B. 133. An act permitting proprietors of repair shops to sell articles upon which charges have not been paid.

S. B. 46. An act to regulate the times of holding the terms of the Circuit Court in the Twentieth Judicial District.

S. B. 374. An act to regulate the time of holding the terms of Circuit Court in the Thirteenth Judicial District and the length of said term and declaring an emergency.

H. B. 124. A bill to pay all persons having been summoned as grand jurors and not accepted the same as other

jurors, and also to pay persons summoned to testify before the grand jury.

H. B. 430. An act to require corporations, firms, partnerships or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day, same is payable under the law to the said employe.

H. B. 371. An act to amend Section 1697, Sub-division 1 of Article 15, Chapter 46 of the Kentucky Statutes, Carroll's Edition of 1909, entitled, "Executions," as amended by Chapter 120 of the Acts of the General Assembly of Kentucky of 1910.

H. B. 447. An act to require all conveyances of real property to state therein, the true consideration, and providing a penalty for a violation of the act.

H. B. 53. An act to authorize the guardian of an infant and the committee of an idiot or lunatic to lease the real estate of such infants, idiots or lunatics for mining purposes.

With an amendment thereto by way of substitute therefor.

H. B. 249. An act to amend and re-enact Sub-section 4 of Section 1277a Kentucky Statutes, Edition 1915, relating to penalties for the use of cigarettes.

With an amendment thereto by way of substitute therefor.

S. B. 139. An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

H. B. 436. An act to amend Section 6 of the act approved March 23, 1910, entitled: "An act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy."

H. B. 368. An act to amend Section 30 of an act entitled, "An act defining public roads; providing for their establishment, regulation, use and maintenance and creating the office of County Road Engineer and prescribing the duties thereof," approved March 23, 1914.

With an amendment thereto.

H. B. 435. An act to provide means for the analysis and examination, investigation, publication, and other necessary expenses connected with the carrying out of Chapter 4 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1908, entitled, "An act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof." And appropriating and limiting the amount of money to be paid from the Treasury of the Commonwealth for such work.

With an amendment thereto by way of substitute therefor.

H. B. 375. An act requiring railroad companies, persons or associations owning or operating a line of railroad in or through this State to place screens over all windows of passenger coaches and providing a penalty for the violation thereof.

With an amendment thereto.

H. B. 497. An act creating the Thirty-seventh Judicial District of Kentucky, fixing the time of holding courts thereof, providing for the appointment of an election of a Circuit Judge and Commonwealth Attorney and changing the Thirty-first and Thirty-second Judicial Districts of Kentucky, so as to provide for said Thirty-seventh District and fixing the time for holding the courts in said district and in the Thirty-first and Thirty-second Districts.

H. B. 318. An act to amend Section 10 of an act, entitled, "An act to amend an act, entitled, 'An act to further regulate elections,' which became a law March 11, 1898, the objections of the Governor to the contrary notwithstanding," which became a law October 24, 1900, said Section being Subsection 10 of Section 1596a Kentucky Statutes, Carroll's 1915.

H. B. 73. An act fixing the time of holding the election of school trustees throughout this Commonwealth.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, they were read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Spahn moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 24, 1916.

The House was opened with prayer by the Rev. J. T. McGlothlin, Pastor of the Baptist Church, of Frankfort, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

Upon a call of counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Gardner:

H. B. 528. An act to authorize the judges of the various county courts to appropriate and expend the sum of $100.00 each month, without the action and concurrence of the fiscal courts.

To the Committee on County and City Courts.

By Same:

H. B. 529. An act to regulate the printing of reports in the Department of Agriculture, Labor and Statistics.

To the Committee on Printing.

By Same:

H. B. 530. An act to establish a division of marketing, prescribe its duties and powers and authorizing the commissioner to use $5,000.00 from any funds annually appro-

priated for the Department of Agriculture, Labor and Statistics, for maintaining said bureau.

To the Committee on Agriculture.

By Mr. Bailey:

H. B. 531. An act making it unlawful to lodge for record in the office of the county court clerk any mortgage, bond or other lien unless the same secures a bona fide transaction, and imposing a penalty.

To the Committee on County and City Courts.

By Same:

H. B. 532. An act making it a cause for divorce for either the husband or wife to be confined in an asylum for the insane for a period of seven years pursuant to judgment of a court of competent jurisdiction, adjudging the husband or wife to be a lunatic.

To the Committee on Judiciary.

By Mr. Purnell:

H. B. 533. An act to amend section 1697, subdivision 1, of article 15, chapter 46, of the Kentucky Statutes, Carroll's edition, entitled "Executions."

To the Committee on Judiciary.

By Mr. Treadway:

H. B. 534. An act requiring assessors to take and certify the first name in full of all taxpayers.

To the Committee on Revenue and Taxation.

By Mr. L. M. Smith:

H. B. 535. An act relating to revenue and taxation.

To the Committee on Revenue and Taxation.

By Mr. Cummins:

H. B. 536. An act to prevent congregating upon public highways and streets for the purpose of swapping or trading horses, and to provide a penalty therefor.

To the Committee on County and City Courts.

By Mr. Hutchcraft:

H. B. 537. An act to repeal and re-enact sections 4043, 4044, 4047, 4053, 4056, 4068, 4119, 4120, 4128, 4268, 4270, 4271, 4273, 4274, 4275, 4276, 4277, 4278, Kentucky Statutes, edition 1915, relating to the assessment of property for taxation; prescribing the duties of officers, and providing penalties for failure to discharge such duties.

To the Committee on Revenue and Taxation.

Mr. Perry moved that the rules be suspended, and that House Bill 221 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 221. An act relating to the election, terms, quali-

fication, salaries and duties of commissioners to constitute the fiscal court in counties having cities of the first class and providing for clerks and for payment of salaries and expenses, also providing penalties for failure to perform duties.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In any county in this Commonwealth, in which there is located a city of the first class, which has heretofore, under existing laws, voted in favor of the fiscal court of the county being composed of three commissioners to be elected from the county at large and the county judge, and in which commissioners have not been elected, there shall be elected at the regular election held in November, 1917, three commissioners from the county at large, one of whom, to be determined by lot, shall serve for a term of four years, and the other two of whom shall serve for a term of two years. At the expiration of two years from the time when said commissioners shall have been elected, and at the general election to be held at that time and every four years thereafter, there shall be elected from the county at large two commissioners for a term of four years, and at the expiration of four years from the time when said commissioners shall have been first elected, and at the general election to be held at that time and every four years thereafter, there shall be elected from the county at large, one commissioner for a term of four years.

§ 2. Whenever it shall be necessary to determine by lot the length of time of any commissioner elected under this act, such determination by lot shall be made at the first session of the fiscal court after such new members shall have been elected and qualified.

§ 3. The fiscal court of each county in this Commonwealth in which there is located a city of the first class shall have such clerk or clerks as may be necessary, and it shall be the duty of such clerk or clerks to attend its session and to keep a full and complete record of all proceedings of the court, together with a proper index and to perform such other duties as may be assigned to them by the court. The clerk of the county court shall, by virtue of his office, be clerk of the fiscal court and shall supply to said fiscal court such assistant clerks as they may require. For his services the fiscal court shall annually make him a reasonable allowance to be paid out of the county levy.

§ 4. It shall be the duty of the fiscal court in each county in this Commonwealth in which there is located a city of the first class to cause to be published in one newspaper of general circulation in such county, and in any other additional form it may deem proper, in the months of April, July, October anl January, of each year, a financial statement of the county covering the three months next preceding each statement, and which statement shall include a list of the claims and amounts thereof allowed against the county during the preceding three months, and to whom allowed, with such other information as it may deem proper to have published. The fiscal court and each member thereof, in any such county that fails or refuses to cause to be published the information required by this section, and in the manner herein provided, shall be fined fifty dollars ($50.00) for each offense, to be recovered by indictment in the circuit court.

§ 5. Commissioners elected under the provisions of this act shall take oath of office and enter upon the discharge of their duties on the first Monday in January after their election and shall continue in office for the period provided in this act, or until their successors are elected and qualified.

§ 6. All the provisions of existing laws governing fiscal courts in this Commonwealth, which are not in conflict with the provisions of this act, shall be applicable to and govern fiscal courts of all counties in this Commonwealth in which there is located a city of the first class, except that when the county judge is unable to call a special session, or refuses to do so, upon the request of two members of the court, then two commissioners may call the same. Any vacancy in the office of commissioner shall be filed by appointment by the county judge subject to and in accordance with the provisions of section 152 of the Constitution of Kentucky.

§ 7. Each commissioner hereafter elected in accordance with the provisions of this act shall receive a salary of three thousand ($3,000.00) dollars per annum, to be paid out of the county levy, in equal monthly installments, and shall receive no further compensation for their services.

§ 8. No person shall be eligible to the office of commissioner who is not at least twenty-four (24) years of age and been a resident of the county and a citizen of Kentucky for at least two (2) years next preceding his election. No person holding the office of commissioner shall at the same time hold any office under the Government of the United States, the State of Kentucky or any subdivision thereof.

§ 9. All payments of the fiscal court in such counties shall be by warrant on the county treasurer signed by the presiding officer of the court and countersigned by the clerk of the court.

§ 10. If any section in this act shall be held to be unconstitutional, that fact shall not affect any other section of the act, it being the intention of the General Assembly in enacting this law, to enact each section separately, and if

any provision or exception contained in any section shall be declared unconstitutional, that fact shall not affect the remaining portion of said section; it being the intention of the Legislature to enact each section and each provision and exception thereto separately.

§ 11. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Mr. William Duffy moved the previous question.

The Speaker stated: Shall the main question be now put?

Which was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	James S. Cruse	W. G. Gooch
H. F. S. Bailey	H. C. Cummins	C. H. Grimes
Geo. B. Barrett	S. C. Dobbs	J. S. Hall
C. H. Bays	Jas. R. Dorman	W. C. G. Hobbs
G. G. Brashear	Thomas A. Dover	A. B. Holland
Frank J. Brown	W. E. Dowling	David J. Howard
W. H. Brown	William Duffy	J. M. Howell
E. Bullock	J. R. Durham	Chas. L. Hunter
R. A. Cook	J. M. Elliston	R. B. Jackson
A. S. Cooper	T. T. Gardner	J. M. Johnson
S. B. Coleman	Wm. Gearheart	T. R. Jones

W. H. Jones	S. Mazyck O'Brien	Ed. D. Stone
H. Clay Kauffman	William A. Perry	Bannie Tabor
Wm. J. Kuh	Geo. L. Pickett	R. C. Tartar
W. T. Lasley	A. B. Pieratt	Robt. R. Treadway
M. E. Lee	W. A. Price	F. C. Trivette
Dr. J. E. Lilly	J. D. Pumphrey	D. B. Tyra
W. R. Lyon	Harry P. Purnell	J. W. Wall
Dr. C. W. Mathers	Richard Radcliffe	John S. Webb
Jacob Metzger	John T. Roach	W. M. Webb
Harry J. Meyers	Lewis Ryans	Frank M. White
G. B. Moores	Joe Schneider	J. D. Wills
John T. Murphy	L. M. Smith	M. O. Wilson
B. F. McAtee	E. D. Smith	E. S. Wood
E. B. McGlone	Claude B. Smith	Louis E. Yewell
W. J. McMurray	John W. Snider	E. G. Young
C. B. Nichols	Adam Spahn	—80

Resolved that the title thereof be as aforesaid.

Mr. Perry moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Murphy moved that the rules be suspended, and that House Bill 65 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

Mr. Greene moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Lee moved that House Bill 377, special order for 11 o'clock today, be postponed until next Tuesday, February 29,

1916, at 11 o'clock a. m., at which time said bill be made a special order.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 65. An act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every corporation for pecuniary profit engaged in any enterprise or business within the State of Kentucky shall, as often as semi-monthly, pay to every employee engaged in its business all wages or salary earned by such employee to a day not more than eighteen (18) days prior to the date of such payment. And any employee who is absent at the time fixed for payment, or who, for any other reason, is not paid at that time, shall be paid thereafter at any time upon six days' demand, and any employee leaving his or her employment or is discharged therefrom shall be paid in full following his or her dismissal or voluntarily leaving his or her employment, at any time upon three days' demand. No corporation coming within the meaning of this act shall, by special contract with its employees or by any other means, secure exemption from the provisions of this act. And each and every employee of a corporation coming within the meaning of this act shall have his or her right of action against any such corporation for the full amount of his or her wages due on each regular pay day as herein provided in any court of competent jurisdiction in this State.

§ 2. Any corporation coming within the meaning of this act violating the provisions of section one (1) of this act shall be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) for each separate offense, and each and every failure or refusal to pay each employee the amount of wages due him or her at the time, or under the conditions required in section one (1) of this act shall constitute a separate offense.

§ 3. This act shall take effect and be in force in accordance with the provisions of the Constitution, and all acts or parts of acts in conflict herewith are hereby repealed.

Mr. Gardner moved the previous question.

The Speaker stated: Shall the main question be now put?

Which was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank J. Brown	James S. Cruse
H. F. S. Bailey	W. H. Brown	H. C. Cummins
Geo. B. Barrett	R. A. Cook	S. C. Dobbs
C. H. Bays	A. S. Cooper	W. E. Dowling
G. G. Brashear	R. T. Crowe	William Duffy

J. M. Elliston	B. F. McAtee	Ed. D. Stone
Wm. Gearheart	E. B. McGlone	Bannie Tabor
Frank C. Greene	W. J. McMurray	R. C. Tartar
W. C. G. Hobbs	C. B. Nichols	Robt. R. Treadway
David J. Howard	William A. Perry	D. B. Tyra
J. M. Howell	Geo. L. Pickett	J. Wood Vance
R.B.Hutchcraft,Jr.	A. B. Pieratt	J. W. Wall
R. B. Jackson	W. A. Price	John S. Webb
T. R. Jones	Harry P. Purnell	W. M. Webb
W. H. Jones	Richard Radcliffe	J. D. Wills
W. R. Lyon	John T. Roach	M. O. Wilson
Jacob Metzger	Joe Schneider	Louis E. Yewell
Harry J. Meyers	L. M. Smith	E. G. Young
G. B. Moores	E. D. Smith	
John T. Murphy	Claude B. Smith	—58

Those who voted in the negative were—

Glover H. Cary	W. B. Harvey	A. J. Oliver
S. B. Coleman	A. B. Holland	J. D. Pumphrey
Jas. R. Dorman	H. Clay Kauffman	Lewis Ryans
Thomas A. Dover	Wm. J. Kuh	John W. Snider
T. T. Gardner	W. T. Lasley	Adam Spahn
W. G. Gooch	Dr. J. E. Lilly	F. C. Trivette
C. H. Grimes	Dr. C. W. Mathers	
J. S. Hall	L. T. Neat	—22

Resolved that the title thereof be as aforesaid.

Mr. Murphy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vance moved that the Hon. J. M. Richardson. Ex-member of this House, be granted the privileges of the floor, and moved that the Speaker appoint a committee of two to escort Mr. Richardson to the floor.

Said motion was agreed to.

In accordance with said motion the Speaker appointed Messrs. Roach and Vance as such committee.

Mr. Lasley moved that the rules be suspended, and that House Bill 158 be taken from the orders of the day and made a special order for today and placed upon its passage.

The yeas and nays being called for on said motion by Messrs. Greene and Radcliffe were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	A. B. Holland	John T. Murphy
H. F. S. Bailey	J. M. Howell	B. F. McAtee
Frank J. Brown	Chas. L. Hunter	C. B. Nichols
Glover H. Cary	R.B.Hutchcraft,Jr.	Geo. L. Pickett
R. A. Cook	J. M. Johnson	W. A. Price
S. B. Coleman	T. R. Jones	Joe Schneider
R. T. Crowe	H. Clay Kauffman	Claude B. Smith
S. C. Dobbs	W. T. Lasley	John W. Snider
Jas. R. Dorman	M. E. Lee	Robt. R. Treadway
W. E. Dowling	Dr. J. E. Lilly	D. B. Tyra
J. M. Elliston	Dr. C. W. Mathers	J. Wood Vance
T. T. Gardner	Jacob Metzger	John S. Webb
W. G. Gooch	Harry J. Meyers	Louis E. Yewell
W. C. G. Hobbs	Claude D. Minor	—41

Those who voted in the negative were—

Geo. B. Barrett	Thomas A. Dover	W. H. Jones
C. H. Bays	William Duffy	Wm. J. Kuh
G. G. Brashear	Wm. Gearheart	W. R. Lyon
W. H. Brown	Frank C. Greene	G. B. Moores
E. Bullock	C. H. Grimes	E. B. McGlone
A. S. Cooper	J. S. Hall	W. J. McMurray
James S. Cruse	W. B. Harvey	L. T. Neat
H. C. Cummins	David J. Howard	S. Mazyck O'Brien

A. J. Oliver	L. M. Smith	W. M. Webb
William A. Perry	E. D. Smith	Frank M. White
A. B. Pieratt	Adam Spahn	J. D. Wills
J. D. Pumphrey	Thomas Spurrier	M. O. Wilson
Harry P. Purnell	Ed. D. Stone	E. S. Wood
Richard Radcliffe	Bannie Tabor	E. G. Young
John T. Roach	R. C. Tartar	
Lewis Ryans	J. W. Wall	—46

And so said motion was disagreed to.

Mr. Greene moved that the vote by which said motion was disagreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By the unanimous consent of the House the Hon. John C. Bogie, Ex-member of this House, was granted the privilege of the floor of the House.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 148. An act to amend section 331a, subsection 1 of an act entitled "An act to regulate the labor and employment of children and minors and to make the provisions thereof effective," approved by the Governor, March 21st, 1914.

To the Committee on Municipalities.

S. B. 295. An act to repeal an act approved March 18th, 1914, and known as chapter 47 of the Session Acts of 1914, and entitled "An act relating to poll or capitation tax

and providing for the collection (of but) to put one poll tax from citizens of cities of the third class."

To the Committee on Revenue and Taxation.

Mr. Price, chairman of the committee heretofore appointed to hear evidence and report on the impeachment proceedings instituted against J. E. Williams, County Judge of McCreary County, Kentucky, offered the following report, viz.:

REPORT OF HOUSE COMMITTEE APPOINTED TO CONSIDER AND REPORT UPON THE PETITION FOR THE IMPEACHMENT OF J. E. WILLIAMS, COUNTY JUDGE OF MCCREARY COUNTY, KY.

To the House of Representatives of the State of Kentucky:

The special committee appointed under House Resolution No. ....., begs leave to submit the following report.

The resolution above referred to is in the following words.

(Resolution not copied by committee in its report.)

This impeachment proceeding had its origin in a petition prepared and verified in conformity with Section 2172 of the Kentucky Statutes, which was presented to the House of Representatives on the 13th day of January, 1916. On the — day of January, 1916, the Speaker of the House of Representatives, in obedience to the resolution above, appointed this committee. The committee immediately after its appointment, organized for business by electing W. A. Price chairman, and D. J. Howard secretary. It has held many sessions since its appointment, to and including Wednesday night, Feb-

ruary 9, 1916, five of which sessions were devoted to the hearing of testimony relating to this matter. The committee permitted the respondent, J. E. Williams, to appear both in person and by counsel at all proceedings had before the committee, and to cross-examine the witnesses produced by the petitioners, and also to introduce witnesses in his own behalf.

In support of the charges preferred in the petition, the petitioners produced eighteen witnesses, whose names are as folows: J. H. Gibson, W. S. Gilreath, John A. Gary, Charles Carroll, J. C. Roberts, R. C. Sievers, C. E. Cain, Logan Bryant, G. W. Stephens, Mrs. Minnie Frost, J. F. Ball, Lemon Sexton, John S. Smith, H. M. Cline, L. G. Campbell, J. E. Stephens, L. D. Ball, G. W. Castle, H. C. Cress. The respondent testified in his own behalf, and introduced in his behalf fifteen witnesses as follows: John W. Rawlins, J. D. Snyder, —— Anderson, —— Moore, —— Roberts, Dr. J. E. Harman, W. L. Roberts, Elijah Worley, Jasper Stinson, W. P. Upchurch, Jas. Ford, Ben B. Smith, Geo. C. Walker, John West, J. C. Calor.

The testimony introduced in behalf of the petitioners before the committee was taken in shorthand, and has been transcribed and is presented to the House in full with this report, but on account of its volume it has not deemed it advisable to have the same set out at length as part of this report. There are also filed herewith the following exhibits introduced in connection with the testimony for petitioners, to-wit:

(1) Receipt from J. E. Williams to Jas. Hays, W. S. Gilreath, W. A. White, for $23.79, balance of fine and costs of Ed Hoge, of date July 6, 1914.

(2) Receipt of J. E. Williams to Mrs. Minnie Frost for

$15.00 for fine and costs of Slavey and Mrs. Frost of date January 2, 1915.

(3) Check of R. C. Sievers to Joe E. Williams for $4.00, dated October 7, 1914, which check is stamped, "Paid October 16, 1914."

(4) Copy deposit slip showing that there was deposited by J. E. Williams in the First National Bank of Somerset, August 14, 1914, the check of W. A. Kinney for $59.80.

(5) Copy of a list of names testified to by H. C. Cress to be a true copy of the list which J. E. Williams gave the jailor Ball to summons as a jury in the case of the Commonwealth vs. Jones, etc.

Respondent did not ask that stenographic notes of the evidence offered by him be taken, and no such were taken; for that reason, the committee cannot file respondent's evidence as part hereof.

J. E. WILLIAMS' ELECTION.

J. E. Williams was elected County Judge of McCreary County, and took his seat some time early in the year 1913, and at the November election, 1913, he was again elected County Judge for a term of four years, and he assumed the duties of his office under that election on the first Monday in January, 1914, and has since that time been the duly qualified and acting county judge of said county. His term of office will expire on the — day of January, 1918.

FINDINGS OF THE COMMITTEE UPON THE EVIDENCE PRODUCED BEFORE IT.

Your committee finds from the evidence heard before it that the said J. E. Williams has been guilty of the following

violations of the law, constituting misdemeanors in his office as said County Judge, to-wit:

(1) That said Williams as County Judge of McCreary County, Kentucky, on the 5th day of November, 1915, issued a warrant of arrest for John A. Geary, R. C. Sievers, C. E. Cain, J. C. Roberts, W. S. Gilreath, W. F. Hinkle, W. H. Meece, charging them with the crime of confederating and banding together for unlawful purposes, which warrant he caused to be placed in the hands of the Sheriff of McCreary County for execution, but that none of said persons named were arrested under that warrant for reasons not made clear to this Committee. That on the 6th day of November, 1915, the said Williams issued another warrant of arrest for the above named persons charging them with the crime of confederating and banding together for the purpose of destroying public property, which warrant bears the date of October 5, 1915, but it is conceded that that date is a mistake and it was intended to be written "November 5, 1915." This latter warant was placed in the hands of the Sheriff of McCreary County for execution, and on the 7th day of November, 1915, each and all of said persons above named except Meece, were arrested under said warrant. Their bonds were fixed in the sum of $2,000 each by the County Judge and four of said persons were placed in jail under said warrant and remained there for six or eight hours before bail was procured for them. That subsequently said warrant was dismissed by the respondent without any trial being had thereunder.

Both of the warrants above referred to were issued by the respondent without first having filed in his office, or anywhere else, any affidavit or information fully or at all specifying the nature of the offense for which the warrants, or either of them were issued, and without the respondent hav-

ing any personal knowledge of the commission of the offenses charged in either warrant.

Under Section 1372 of the Kentucky Statutes, it is made a misdemeanor for any officer to issue a warrant for a felony charge without first having filed in his office an affidavit or information fully specifying the nature of the offense for which the warrant was issued, or unless he shall have personal knowledge of the commission of the offense.

That respondent issued this warrant charging these persons with a felony, without the requirements of this section being complied with, is established by the evidence of various witnesses, and is admitted by the respondent himself to be true.

(2) That respondent has suspended, shortened, and otherwise changed the sentences of persons convicted in his court and fined, or imprisoned in violation of the law, and without any authority so to do. This fact is shown by the mittimuses and orders of release signed by respondent and delivered to the jailor of the county and by entries made on the docket books of respondent and by admissions of the respondent himself. This especially appears in connection with the cases of the Commonwealth against the following parties: Lowell Brooks, Walter White, Will Strunk, Hays Gregory, Walker Porter, Ollie Miller, John Foster, Ab Hill, Asberry Chitwood, Will Strunk, Grover Moses, Frank Spradling, Jeff May, John Foster, Ollie Williams, Jerman Worley.

(3) That during the time respondent has been Judge of McCreary County, he has collected and reported as required by law fines amounting in the aggregate to $763.15. It appears from the reports of the Inspector and Examiner that he had collected and failed to report as required by law fines amounting in the aggregate to the sum of $316.95, and

from receipts filed with the committee by various witnesses for fines which respondent has collected and did not report, and which had not been discovered by the Examiners, that respondent has collected and failed to report, the additional sum of $39.75 and that it further appears from said receipts some of this money has been in respondent's hands for more than eighteen months. Under Section 4252 of the Kentucky Statutes, it is made the duty of the County Judges and other officers authorized to receive money due the Commonwealth to report on the first day of each Circuit Court, the amount of all moneys due the Commonwealth and collected by such officers from all sources except the State and District taxes, since said officer's last report was made. These reports are required to be in writing and sworn to in open court. They are required to show from whom the money is received, the amount and date of collection, and on what account the money is paid, and for failure to make such report an officer is guilty of a misdemeanor under the law.

During the time respondent has served as County Judge, there have been three examinations made of his office by the State Inspector and Examiner. The first of these inspections was made by C. J. Howes, representing the State Inspector and Examiner. It covered a period from May 27, 1913, to the February term of Court, 1914, and showed the following amounts due the State from the respondent on the following accounts, to-wit:

Fine of Grover Moses	$20.00	
Interest	.60	$20.60
Fine of Isham Moses	20.00	
Interest	.60	20.60
Fine of Silas Strunk	20.00	
Interest	.60	20.60
Total		$82.40

Fine of Alex Vicery	$5.00	
Interest	.30	5.30
Fine of Law Strunk	1.00	
Interest	.06	1.06
Fine of Mary Sheetwood	1.00	
Interest	.06	1.06
Fine of Claude Morgan	2.00	
Interest	.12	2.12
Total		$91.94

Forwarded—

Fine of Ashberry Cheetwood	$1.00	
Interest	.06	1.06
Fine of Leander Strunk	3.65	
Interest	.20	3.85
Fine of Cal Richmond	1.00	
Interest	.03	1.03
Fine of Parker Slavey	25.00	
Interest	.35	25.35
Fine of Ed Creekmore	1.00	
Interest	.03	1.03
Fine of Ducell West	7.40	
Interest	.46	7.86
Fine of Ross Keith	1.00	
Interest	.03	1.03
Fine of John Neal	5.00	
Interest	.30	5.30
Fine of Will A. Ball	1.00	
Interest	.03	1.03
Fine of Ashberry Cheetwood	1.00	
Interest	.06	1.06
Fine of Frank Walters	1.00	
Interest	.06	1.06
Total		$141.59

The second inspection above referred to was made by G. W. Castle, representing the State Inspector and Examiner, and covered a period from April 1, 1914, until November 1, 1915, and said report showed the following revenue due the State from said county judge on the following accounts, to-wit:

Fine of J. E. Harman	$1.00
No steps to collect.	
Bal. Fine E. S. Buckner, March term, 1914	6.00
Interest	.90
Fine of Wm. Crabtree, September term, 1914	15.00
Interest	1.05
Bal. Fine Gen. Gregory, October term, 1914	15.00
Interest	.90
Bal. Fine Gen. Strunk, May term, 1915	15.00
Interest	.45
Bal. Fine Grover Moses, August term, 1915	10.00
20 Per Cent. Penalty	2.00
Collected and not reported—	
Total due State	$67.30

That the third report above referred to was made by H. C. Cress representing the State Inspector and Examiner and covered a period from April 14th to December 1st, 1915, and showed the following revenue to be due the State from the respondent on the following accounts, to-wit:

Commonwealth of Kentucky vs. Clint Keith, March term, 1915, balance on fine	$10.00
To interest on same	.40
Commonwealth of Kentucky vs. Bill Flynn, March term, 1915, balance on fine	20.90
Commonwealth of Kentucky vs. Tom Vailes, May term, to fine	50.00

To interest on same	5.00
20 per cent. penalty on same	10.00
Commonwealth of Kentucky vs. Will Sellers, September term, 1914, to balance fine	9.00
To interest on same, from February 15th	.40
To 20 per cent. penalty	1.80
Total	$105.15

It appears from the testimony of W. S. Gilreath that on July 6, 1914, he paid to respondent $23.75, being the balance due on replevin bond for fine and costs of Ed Gogue, and the respondent's receipt for said payment accompanies the testimony filed herewith. No part of this payment has ever been accounted for to the State by respondent. It appears from the testimony of Mrs. Minnie Frost that on January 2, 1915, she paid to respondent the sum of $15.00 for fine and costs of Jeff Slavey, and the receipt of the respondent evidencing such payment is filed with the testimony. No part of this payment has ever been accounted for to the State by respondent.

It appears from the testimony that one Herman Worley was placed in jail under an indictment of the Circuit Court charging him with the crime of petty larceny; that his case was remanded to the County Court for trial, and that subsequently, the respondent upon the payment of $8.00 to him by John S. Smith directed the jailer in writing to release said Worley without there having been any trial of the charge preferred against him, and no part of this money has ever been accounted for to the Commonwealth.

(4) Under Section 4252 Kentucky Statutes, a County Judge is required, in his report made in the Circuit Court to report all unsatisfied judgments in his court, rendered in favor of the Commonwealth during the twelve months next

preceding the time when such report is required to be made, the names of persons against whom such judgments is rendered, the date of judgment, the amount thereof, and the reason why such judgment had not been collected, and for failure to do this, he is guilty of a misdemeanor. It is admitted by Judge Williams that he has not in any way attempted to comply with this requirement of the Statute.

(5) Under Section 1088 of the Kentucky Statutes, each justice is required to keep an order book and an execution book, to be paid for by the county, in which he shall keep a full and fair record of his judicial proceedings. The order book is required to be signed by the justice at the end of his term, and to be properly indexed, and a failure to so keep such record is made a misdemeanor. It appears from the admission of the respondent, and an inspection of his records that he kept no such order book in criminal cases. He kept nothing but a docket book upon which he made notations in various criminal cases. It appears that he never entered an order in criminal cases, and that consequently there is no order in any criminal case in his court which is signed by him.

(6) We find from the evidence that on December 24, 1915, J. L. Richmond was arrested, charged with drunkenness, and placed in the county jail; that on December 25, 1915, respondent went to said jail and upon finding that said Richmond was confined therein, he accepted of said Richmond payment of the sum of $1.00, and thereupon directed the jailer in writing to release said Richmond from custody.

(7) That by the admission of respondent, he imposed upon Mrs. Minnie Frost a fine of 1c and costs upon a contempt charge without any rule being issued against her, and without affording her an opportunity to be heard in her defense, the alleged contempt consisting of failure to answer a subpoena issued from his court.

(8) It appears from the testimony that in some cases in respondent's court in which some personal friend or some personal enemy was interested, or where a certain attorney of McCreary County was employed or interested, the respondent would write out a list of names of persons resident in McCreary County, and would deliver such list when so prepared to the officer of the court charged with the duty of summoning the jury to sit in the case, with instructions from respondent to summons those persons named to sit as jurors in the case; that this was done in several cases, the styles of two cases in which it was done by respondent being the Commonwealth vs. G. W. Jones, and Rd. Worley, and Ada Ballou vs. J. G. Logan. That in another instance, to-wit: In the case of John Samson vs. L. T. Bramer, the respondent suggested to the officer charged with the duty of summoning the jury to try that case, that he see the plaintiff before doing so, as the plaintiff had a list of persons he desired to have summoned as jurymen.

That in addition to the foregoing violations of the law, of which in the opinion of this committee, the respondent is shown to have been guilty, your committee reports that it finds from the evidence that on divers times since respondent was elected to the office of County Judge, and during the hours of the day when his office should have been kept open for the discharge of the business connected therewith, the respondent has been under the influence of intoxicating liquors to such an extent as to probably render him incompetent to discharge the duties of his said office.

It further appears from the evidence that upon various occasions the respondent was abusive of persons affiliating with the Democratic party, in the County of McCreary, and advised that they should be boycotted by the Republicans, and said that he could hardly give a Democrat justice in his court, and he further said, in reference to a Democratic attorney in

McCreary County, that the person who employed that attorney to represent him in respondent's court was throwing his money away. These statements, however, appear to have been made at a time when there was a great deal of feeling engendered over elections. While the conduct of respondent in being intoxicated at times when he should have been performing the duties of his office, and in making the statements above referred to, was, of course, very reprehensible, your committee does not find that his derelictions in these regards have been sufficiently grave to justify proceedings against him on these accounts.

THE LAW APPLICABLE TO THESE PROCEEDINGS.

The Constitutional provisions relating to impeachment are found in Sections 66, 67, 68 of the Constitution, which read as follows, to-wit:

Sec. 66. The House of Representatives shall have the sole power of impeachment.

Sec. 67. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two-thirds of the Senators present.

Sec. 68. The Governor and all civil officers shall be liable to impeachment for any misdemeanors in office; but judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust, or profit under this Commonwealth; but the party convicted shall, nevertheless, be subject and liable to indictment, trial and punishment by law.

Under Section 2172, a person desiring to procure the impeachment of any officer, shall by petition, in writing to the

House of Representatives, signed by himself, and verified by his own affidavit and the affidavits of such others as he may think necessary, set forth the facts upon which he prays impeachment. The House shall refer the petition to a committee with power to send for persons and papers, to report thereon. If an impeachment be ordered, a committee shall be appointed to prosecute same, whose chairman shall, within five days, lay the same before the Senate. The Senate shall appoint a day for hearing the impeachment, and accused shall be summoned by precept, issued by the Clerk of the Senate, to appear on that day. The precept shall be served in person, or a copy left at his residence, with some white member of his family, over the age of sixteen years, together with a copy of the impeachment. The Clerk of the Senate shall at the instance of the Chairman of the Committee or of the accused, issue process for the summoning of witnesses, and the production of books or papers, which shall be executed in the same manner and be obeyed under like penalty as is prescribed for disobedience to similar process issued by courts. The witnesses summoned shall also receive like compensation and have the same privilege in going, remaining and returning. If the accused is acquitted he shall be entitled to his costs, to be taxed by the Clerk and paid by the party petitioning, and if he be convicted, he shall, in like manner pay such party the costs incurred in behalf of the prosecution.

By Section 431 of the Criminal Code of the Statutes, it is provided that "the articles of impeachment are the written accusations drawn up and approved by the House of Representatives." By Section 432 "the articles of impeachment shall state with reasonable certainty the misdemeanor in office for which the officer is impeached; if there be more than one, they shall be stated separately and distinctly."

As to what constitute misdemeanors in office of County

Judge, so far as the same are relevant to these proceedings, the following provisions of the Statute are illustrative:

Sec. 1069. The office of the County Judge shall be at the county seat, and be kept open at all reasonable hours for the transaction of business.

Sec. 1088. Justices' Courts are courts of record. Each justice shall keep an order book and an execution book, to be paid for by the county, in which he shall keep a full and fair record of his judicial proceedings. The order book shall be signed by the justice at the end of each term. Said book shall at all times be properly indexed, and upon failure to keep such books, he shall be fined not less than $50 nor more than $100.00.

Sec. 1372. If any officer authorized to issue warrants of arrest in felony cases shall do so without first having filed in his office an affidavit or information fully specifying the nature of the offense for which the warrant is issued, or unless he shall have personal knowledge of the commission of the offense, he shall be fined not less than $100, nor more than $200.

Sec. 3748. Judges of the County Courts, Justices of the Peace, Sheriffs, Coroners, Surveyors, Jailers, Assessors, County Attorneys, and Constables shall be subject to indictment in the county in which they reside for misfeasance, or malfeasance in office, or wilful neglect in the discharge of official duties, and upon conviction shall be fined in any sum not less than $100 nor more than $1,000, and upon such conviction, the office held by such person shall become vacant, and the judgment of conviction shall so recite; but such officer shall have the right to appeal to the Court of Appeals.

Sec. 3749. If any person holding a State, county, dis-

trict, town or city office, shall, while in the discharge of the duties of his office, be in the state of intoxication produced by the use of spirituous, vinous, or malt liquors, or if any such person shall, by the use of such liquors, be unable or incompetent or disqualified to discharge any of the duties of his office, he shall be deemed guilty of a misdemeanor and fined not less than $100 nor more than $1,000.

Sec. 4252 is the section requiring reports to be made at each term of the Circuit Court sitting in the county. It is not necessary to set that section out at length here, as it has been referred to at some length above.

In reference to suspension and alteration of judgments for fines and imprisonment, after they have been imposed, it is said by the Court of Appeals in the case of Brabant vs. The Commonwealth, 162 S. W. 786, 157 Ky. 130:

"The order suspending the further execution of the sentence imposed was not merely erroneous; it was an act beyond and without the jurisdiction of the court, an attempted exercise of power, not judicial but wholly executive in its nature; and such order should not have been obeyed by the jailer.

"The jailer is an officer of the Commonwealth, with well-defined duties and responsibilities, and, within the scope of those duties, his authority is supreme. When he receives into his custody a prisoner under a final order of court, any order or direction of said court or any other court, or of any officer, other than the Governor, attempting to suspend the further execution of that judgment, being void and of no effect, should not be obeyed by him. The practice of suspending judgments of courts in misdemeanor cases is a failure to enforce the law; it encourages crime, and is a menace to good government."

In the opinion of the Committee it is the duty of the House of Representatives when an impeachment charge is brought against a public official, to make a thorough examination into the evidence produced for and against the charge, and if the House, as such an impeaching body, is convinced from such examination that there is a reasonable probability of the guilt of the accused, then the House should prefer the charge against the accused. The testimony ought to be such that if uncontroverted or unexplained the Senate would probably find the accused guilty.

It was the intention of the framers of the Constitution that the State of Kentucky should have an independent and incorruptible judiciary.

The testimony in this case shows that the respondent has been guilty of such conduct and practices in relation to the discharge of the duties of his office as to constitute grave misdemeanors in his office. That he has shown a high disregard for the laws of this State applicable to his office and of the rights and liberties of the citizens of his county in the use of the process of his court; that he has been guilty of acts which evidence a disregard of all sense of judicial ethics, and of the upright demeanor which should characterize a judicial officer of this State; that his conduct in his office has been discreditable to himself and to the position which he occupies. A judge should so conduct himself as to command the respect of the citizens for the judicial branch of our government.

A judge should be the personification of integrity, of honor, and of uprightness in his daily walk and conversation; he should be free from any bias and unhampered by improper obligations and uninfluenced by political or personal friendships. While the Committee does not hold that articles of impeachment should be preferred against every judge who does not measure up to these high standards, it is, nevertheless, of

the opinion that to permit a judge who is guilty of the offenses of which respondent has been proven guilty, to go unwhipped of justice would tend to encourage others who might be so disposed to the commission of similar offenses, and to bring into public disrepute the judiciary of this State.

RECOMMENDATIONS.

Your Committee, after a very careful consideration of the evidence and of arguments of counsel, recommends that an impeachment of J. E. Williams as County Judge of McCreary County, be ordered, and that articles of impeachment be prepared and brought against him as such judge, as is provided by law, for the offenses and misdemeanors set out in Items No. 1 to No. 8, inclusive, as above set out in this report.

Respectfully submitted,

W. A. PRICE,
D. J. HOWARD,
W. C. G. HOBBS,
S. M. O'BRIEN,
REUBEN B. HUTCHCRAFT, JR.
J. D. PUMPHREY.

Said report was read at length.

Mr. Hobbs moved that the orders of the day be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. White, of the Committee heretofore appointed to hear evidence and report on the impeachment proceedings instituted against J. E. Williams, County Judge of McCreary County, Kentucky, offered the following minority report, viz.:

HOUSE OF REPRESENTATIVES, 1916.

The undersigned, a member of the Special Committee having under consideration under House Resolution No. — and petition filed by John A. Geary, R. C. Sievers, C. E. Cain, J. R. Bruce, P. M. Stevens, J. C. Roberts, W. F. Hinkle, Logan Bryant and W. S. Gilreath, against J. E. Williams, County Judge of McCreary County, seeking the impeachment of said Williams as County Judge of McCreary County, makes the following minority report.

ORIGIN OF THIS IMPEACHMENT.

This impeachment had its origin in a petition prepared in conformity with Section 2172 Kentucky Statutes. It was placed before the House on the — day of January, 1916, and on the — day of January, 1916, the Speaker of the House, in obedience to resolution introduced, appointed a committee of which the undersigned is a member to investigate and report its actions back to the House.

The Committee permitted the petitioners and the defendant to be represented by counsel and both sides introduced testimony. The majority report sets out in detail the names of the witnesses and the proceedings had.

J. E. WILLIAMS' ELECTION.

J. E. Williams was elected Judge of McCreary County at the November election, 1913, and was duly commissioned County Judge on the — day of January, 1914; his term of office will end the first of January, 1918.

THE FACTS.

The facts as proven on the hearing are substantially as follows:

First. Judge Williams, on the 5th day of November, 1915, signed a warrant for the arrest of J. A. Geary, R. C. Sievers, C. E. Cain, J. R. Bruce, P. M. Stevens, J. C. Roberts, W. F. Hinkle, Logan Bryant, W. S. Gilreath and W. H. Meece, charging them with the crime of confederating and conspiring together for the purpose of destroying public property. This warrant was issued without an affidavit being first lodged with the County Judge. The defendants in the warrant were around the County Clerk's office in and about the courthouse during the entire night of November 4, 1915. The County Clerk's office was broken into some time during the night and the ballots, stub-books and other paraphernalia used at the November election were thrown about over the County Clerk's office floor. Judge Williams was not about the courthouse during the previous day, but was at work on the county roads. He passed the courthouse during the night and saw the defendants, in the warrant, about the courthouse and the County Clerk's office window. The warrant was not issued by Judge Williams until after the County Attorney had been called and the County Attorney advised with. The County Attorney himself dictated the warrant and was written in Judge Williams' handwriting. The County Attorney promised to have the affidavit prepared and in Judge Williams' office before the warrant was served. On the following day Judge Williams was away from the county seat at work on the roads and did not know that the affidavit was not issued, until Sunday afternoon, when he went to look for it. Judge Williams acted only on the advice of the County Attorney as shown by the facts proven and was not guilty of a single wilful act in connection with it.

Second. There was no proof introduced tending to establish the fact that Williams had wilfully or maliciously stated that no Democrat or Republican represented by a Democrat could have a fair trial in the court; this is alleged but is wholly unsustained by proof.

The purpose of this charge is contemptible and intolerable, being introduced for the purpose of inflaming Democrats against the defendant, who is a Republican. It was established by the proof that Judge Williams gave to all parties fair and impartial trials. This was overwhelmingly established by both Democrats and Republicans.

Third. H. C. Cress, a hostile witness and an enemy of Judge Williams, testified that persons employing Cress to represent them in Judge Williams' court were wasting their money. This charge was not sustained by any other testimony; on the contrary, the record shows that Cress won cases in Judge Williams' court, was given a fair trial in every matter in which he was connected and was given all the courtesies usually accorded to attorneys in the trial of cases.

Fourth. The petitioners charge that Williams advised Stephens, a Republican, that he had better dispense with his Democratic partner, W. S. Gilreath. This charge is not sustained by any testimony and does not constitute a misdemeanor in office.

Fifth. It was charged that Judge Williams had decided cases corruptly in favor of a Republican against a Democrat. This charge is not sustained by a single witness and is another charge evidently brought in for the purpose of creating political prejudice.

Sixth. It is charged that Judge Williams was drunk while performing his duties as County Judge. One or two witnesses testified that Judge Williams was intoxicated while holding court, but witness after witness was introduced on the trial and this hearing and showed that this was not true, that he was not under the influence of liquor, but did occasionally take a drink.

Seventh. It is charged that Judge Williams failed to account to the Commonwealth of Kentucky for fines belonging to her. The Inspector and Examiner's office, in checking up Judge Williams' accounts, found unpaid replevin bonds which had not been collected, Judge Williams was charged with these amounts and paid them over to the Auditor of Public Accounts, although he had never received the money.

In the case of Commonwealth vs. Tom Vahl the defendant was fined $50.00 and a replevin bond given. The replevin bond was not in the regular bond book kept in the office, but was written out on a loose sheet of paper and signed by persons remote from the county seat. The bond was not placed in the book, but was put in Judge Williams' safe, the combination was lost on the safe and the bond remained there for months. The fine was paid by the sureties in the replevin bond and the money deposited in bank along with the other funds of Judge Williams. Several months after when he made his report to the Circuit Court he checked his docket and the bond book to ascertain how much he owed to the Commonwealth; this particular bond not being recorded in the bond book was overlooked by him and the money not reported. This is the only fine collected by Judge Williams not turned in at the proper time. There has not been a single dollar embezzled by him according to the proof.

Eighth. It was next charged that Judge Williams released Herman Worley, who was indicted for petit larceny. The defendant in this case was a boy fourteen years of age. The case was transferred from the Circuit Court to the County Court. Judge Williams turned the boy over to a reputable citizen, J. S. Smith, a resident of McCreary County, to care for him. This boy was of such an age that the Juvenile Court of the County was required to look after him. There

is nothing unlawful about Judge Williams' conduct in this matter.

Ninth. Cress, the witness as heretofore referred, testified that Judge Williams had changed his docket so as to conform to the facts after the examination was made. This was denied by Judge Williams and the docket itself shows (it was introduced in evidence) that the matter testified to by Cress was not true.

Tenth. It was established by witness and records that Judge Williams kept no judgment book in which Commonwealth judgments were entered, but only kept the docket book. This is explained by the fact that his predecessors in office had kept proceedings in Commonwealth cases the same way. The testimony showed that Judge Williams had never had any experience in legal procedure and was unfamiliar with the form and method of keeping court records. There was nothing wiful or corrupt about this.

Eleventh. H. M. Cline, J. F. Ball and H. C. Cress, all three of these parties, admitted on the witness stand that they were unfriendly towards Judge Williams. Each of these witnesses testified that in some cases pending in the County Court, Judge Williams had given to Ball, the Jailer, a list of names to summons on the jury. None of them, however, was willing to testify that the jury was selected from this list. Judge Williams denies this, and all the circumstances surrounding the matter show it is untrue and not established by any testimony entitled to any weight or credit.

THE LAW.

Sections 66, 67 and 68 of the Constitution provide for the impeachment of all civil officers. Section 68, which is in the following language:

"The Governor and all civil officers shall be liable to impeachment for any misdemeanors in office, but judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit under this Commonwealth; but the party convicted shall, nevertheless, be subject and liable to indictment, trial and punishment by law,"

sets out the only grounds on which a civil officer may be impeached. This section of the present Constitution has been written into all four Constitutions of the Commonwealth ever since 1792, without a change of a single word or punctuation mark for 124 years. During the history of the Commonwealth there has never been a civil officer convicted by the Senate sitting as a court of impeachment. There have been some few petitions filed before the legislature and two cases have been presented to the Senate for trial, but neither of the officers was convicted. The reason for this is obvious. The framers of the last Constitution incorporated Section 227 in the Constitution, which is as follows:

"Judges of the County Court, Justices of the Peace, Sheriffs, Coroners, Surveyors, Jailers, Assessors, County Attorneys, and Constabls shall be subject to indictment or prosecution for misfeasance or malfeasance in office, or wilful neglect in discharge of official duties, in such mode as may be prescribed by law; and upon conviction his office shall become vacant, but such officer shall have the right to appeal to the Court of Appeals."

And the Legislature to carry out its provision enacted Section 3748 of the Kentucky Statutes, which is as follows:

"Judges of the County Court, Justices of the Peace, Sheriffs, Coroners, Surveyors, Jailers, Assessors, County Attorneys and Constables shall be subject to indictment in

the county in which they reside, for misfeasance or malfeasance in office, or wilful neglect in the discharge of official duties, and, upon conviction, shall be fined in any sum not less than one hundred dollars nor more than one thousand dollars; and upon such conviction the office held by such person shall become vacant, and the judgment of conviction shall so recite; but such officer shall have the right to appeal to the Court of Appeals."

Providing a simpler and less costly way of reaching public officers in the Commonwealth who were not properly discharging their duties. Many indictments and removals have resulted under this section of the Statute and provision of the Constitution. Under the procedure outlined in Section 227 in the Constitution and Section 3748 of the Kentucky Statutes the Circuit Courts of the counties have tried the cases of unfortunate officials for misfeasance and neglect of duty. This has been done at little cost to the Commonwealth and has given to the defendant the opportunity to be tried by a jury as other criminals are tried, and to have his case speedily determined. This remedy has been open to the petitioners during the entire term of Judge Williams' office. Any questions relating to his office could be speedily and effectively determined by the Circuit Courts of the State and the Court of Appeals. This being true the Legislature has never in the history of the Commonwealth found a defendant guilty under impeachment proceedings, but without a single exception left it to the regular judicial machinery charged with the administration of justice.

An impeachment proceeding is the most serious of all criminal proceedings that may be instituted against a defendant. A man may commit a horrible murder, burglary or rob a bank of a million dollars or commit any other enormous offense which violates the laws of the Commonwealth and the Governor of the Commonwealth can make his record as white

as snow by the words, "I pardon him," but if you convict Judge Williams of misdemeanors in office, as you must if you convict him at all, because of those things he has done, which it is said are improper, you have put him in a position where he can never escape from the penalty of his action; nobody can relieve him; he must carry the humiliation with him all his life. It will make for him a winding sheet to take with him into his grave; it will stand here as a record against his children and their descendants as long as this Commonwealth of ours shall endure. Its severity has caused all men, not only in this Commonwealth, but in all the world, to use it sparingly, and only when a wrong to an entire State or nation had been committed.

Judge Williams was elected by a majority of the voters of McCreary county. He has but a short time to serve, surely this county ought to be permitted to control its own affairs, and if these petitioners think that Judge Williams has been guilty of wrong doing in office they should be required to turn to the courts of the State for relief. The Constitution does not require the legislature to impeach even though the officers may be guilty of misdemeanors in office, but leaves it to the discretion of the General Assembly.

Prof. Dwight in 6 American Law Register, pages 258-259, said:

"When a criminal act has been committed, it may evidently be regarded in three aspects: First, the injury to the individual or his family may be considered; second, the wrong to the executive officer charged with the administration of the laws may be looked at; and third, the mind may dwell upon the general wrong done to the State, or 'the people,' as we say in modern times. This view was early taken in the common law; the injury to the individual was redressed by a proceeding called an appeal; the injury to the King by a

process called an indictment; the wrong to the entire nation by proceeding called an impeachment. In process of time the injury to the individual came to be regarded as a private and not a public wrong, so that in the progress of the law there remained two great criminal proceedings—indictment and impeachment."

Tucker in his work on the Constitution said:

"The word 'maladministration,' which Mr. Mason originally proposed, and which he displaced because of its vagueness for the words, 'other high crimes and misdemeanors,' was intended to embrace all official delinquency or maladministration by an officer of the government where it was criminal; that is, where the act was done with wilful purpose to violate public duty. There can be no crime in an act where it is done through inadvertence or mistake, or from misjudgment. Where it is a wilful and purposed violation of duty it is criminal.

"So, if he omits a judicial duty, as well as when he commits a violation of duty, he is guilty of crime or misdemeanor; for, says Blackstone, 'crime or misdemeanor is an act committed or omitted in violation of public law either forbidding or commanding it.'

"It must be criminal misbehavior—a purposed defiance of official duty—to disqualify the man from holding office, or disable him from ever after holding office, which constitute the penalty upon conviction under the impeachment process."

Foster on the Constitution said:

"The term 'high crimes and misdemeanors' has no significance in the common law concerning crimes subject to indictment. It can be found only in the law of Parliament and

is the technical term which has been used by the Commons at the bar of the Lords for centuries before the existence of the United States.

"But the judgments of the Senate of the United States in cases of Chase and Peck, as well as those of the State Senates in the different cases which have been before them, have established the rule that no officer should be impeached for any act that does not have at least the characteristics of a crime, and public opinion must be irremediably debauched by party spirit before it will sanction any other course."

The committee that had in charge the inquiry in the impeachment proceedings of F. D. Sampson, at the 1914 session of the House of Representatives, and whose report may be found in Volume 1, page 588 of the House Journal, laid down the rule when it was the duty of the House to impeach, and is in the following language (see House Journal, Volume 1, 1914, page 601):

"It is the duty of the House, when an impeachment charge is brought, to make such thorough and fair examination as may be necessary to convince the impeaching body of the reasonable probability of the guilt of the accused judge or civil officer. The testimony must be such, that if not contradicted or unexplained, the Senate would probably find the defendant guilty."

No criminal act can be committed unless the act that causes the wrong is wilfully or corruptly done. In every indictment for a criminal offense it must allege that the act done for which punishment is sought was wilful. The words wilful and corrupt have been written into or impliedly inserted in every criminal statute in the statute books.

In an article written in the Yale Law Journal for June,

1912, by Senator Owens, of Oklahoma, on impeachment, he said:

"Impeachment is wholly inadequate for practical purposes. It can be invoked for the most serious criminals. Impeachment is too severe a remedy in certain cases, and is impracticable for offenses justifying removal but not deserving impeachment, which latter power should only be invoked for actual corruption or serious criminal conduct."

ARGUMENTS ON THE LAWS AND FACTS.

Since the creating of McCreary County factions have developed in the fight over the county seat. This is the second impeachment procedure instituted. From this same county, in 1914, parties from this same district sought to impeach Judge Sampson, the Circuit Judge. The report of that Committee may be found in Volume 1, page 594, House Journal, 1914. The high state of feeling was described by the committee investigating the judge in that case, in the following language.

"It enters unseen and unsuspected into the human mind, corrodes the reason and undetermines the judgment. Neither purity of heart nor exaltation of character affords an antidote for this deadly poison. Indeed these virtues may well magnify the evil, for the mind thus possessed is all the more ready to enforce the oblique judgment when it has no cause to suspect its own integrity. The pages of history are eloquent with the evils of this passion. It is of record that the ferocious soldierly sent to hurry the inhabitants of Somersetshire, after the rebellion in 1685, although disciplined in the rapine of Tangier, inspires the followers of unhappy Monmouth with less terror than did Lord Jeffers with his forms of law, and courtly jurors; that when the English government established the common law in India, the native should find himself

entangled in its meshes, though schooled by fatalism to smile in the face of death, was frozen with terror in the presence of a mysterious system whose procedure was in an unsympathetic stranger from across the sea. Those conversant with current history have seen a highly civilized and generous people, under stress of radical passion, condemn without proof a soldier charged with a political crime, and sentence him without mercy to a punishment worse than death, and yet when the storm had spent its force, that judgment was annulled, the victim released and all the world now knows his innocence."

All of the witnesses that have testified against the defendant in the case with the exception of one or two nonresidents of McCreary County were political enemies of Judge Williams.

All the acts of which Judge Williams has been charged with being guilty, none of his omissions or commissions were neither wilfully nor corruptly done. His conduct may not have been perfect, nor his acts entirely in keeping with the high standard that some of us would have for public officials and,

"While actions are always to be judged by the immutable standard of right and wrong, the judgment we pass upon men must be qualified by consideration of age, country, station and other accidental circumstances; and it will then be found that he who is charitable in his judgment is generally the least unjust."

The Senate has much to perform and it would be but a waste of the time of that body and expense to the Commonwealth to undertake to impeach this official. The petitioners' case is founded in the red flames of anger growing out of a hot political fight.

The defendant has but a short time to serve in office; his term will expire the first of January, 1918. The people of this county should be permitted to settle this affair, for themselves, either at the polls or by procedure in the legal courts of the State.

RECOMMENDATION.

I recommend that no articles of impeachment be brought against Judge J. E. Williams.

FRANK M. WHITE.

Said report was read at length.

Mr. Hobbs moved that the further hearing and discussion of said two reports filed by the Committee on Impeachment be made a special order for tomorrow morning at 11 o'clock.

Said motion was agreed to.

By the unanimous consent of the House the Hon. L. B. Herrington, ex-member of this House, was granted the privilege of the floor of the House.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. Res. 11. A resolution relating to costs and attorneys' fees in the contest case of S. C. Dobbs against W. C. Allen.

H. B. 464. An act to provide for necessary clerical service for the State Library.

S. Res. 9. A joint resolution paying B. M. Hurshburg for services.

H. B. 370. An act to amend Section 1358, Subdivision 10, of Article 4, Chapter 36, of the Kentucky Statutes, Carroll's Edition of 1909, entitled "Crimes and Punishments." Section 1358 refers to sale or concealment of mortgaged property and providing a penalty therefor.

H. B. 460. An act relating to crimes and punishment and making it unlawful for any person to falsely represent himself or herself as being blind, deaf, dumb, crippled or otherwise physically defective, and by such means obtaining money or property, aid or assistance, from any person, and providing a penalty for violation of the law.

H. B. 501. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and prescribing a penalty therefor.

S. B. 78. An act to declare the desertion of indigent children under the age of sixteen years a felony.

H. B. 202. An act to prevent the employment of private guards and gunmen and fixing the penalty for so doing, as well as preventing anyone acting in the capacity of guard or gunman and fixing the penalty for so acting.

H. B. 203. An act to govern public schools in cities of the fourth class.

With committee amendment thereto.

H. B. 307. To amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes, relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares in cities of the fourth class.

H. B. 422. An act to amend an act entitled, "An act for the government of cities of the fourth class."

H. B. 471. An act to amend an act entitled, "An act for the government of cities of the fifth class."

H. B. 429. An act to amend and re-enact the last Section of Chapter 114, Acts of 1910, relating to colored visitors —elections.

H. B. 449. An act permitting students of the Kentucky Normal and Industrial Institute for colored persons to take examinations for county certificates.

H. B. 445. An act to require school teachers to take care of the public graded course of study and to deliver the same to the sub-district trustee at the close of the school.

H. B. 440. An act to amend Section 4369, of Article 1, Chapter 113, Kentucky Statutes, Carroll's Edition 1915.

H. B. 439. An act to define and construe the term "Theory and Practice of Teaching" wherever it occurs in the common school laws of Kentucky.

H. B. 373. An act to amend an act relating to the establishment, protection and building of levees for the public benefit; approved March 17, 1914.

H. B. 269. An act to require the redemption of script, etc., at face value.

H. B. 455. An act to provide for the payment of the cost of fiduciary bonds, and permitting payment therefor out of the estate in the hands of such fiduciary.

H. B. 397. An act to amend Section 4, of Article 8, of Chapter 76, of the Kentucky Statutes.

With an amendment thereto by way of substitute therefor.

H. B. 393. An act to amend Section 538 of the Kentucky Statutes.

H. B. 437. An act to authorize Fiscal Courts to pay attorneys appointed to defend indigent persons, accused and charged with crime, either misdemeanors or felonies, a reasonable fee for defending such persons.

S. B. 56. An act to amend and re-enact an act entitled "An act relating to Fiscal Courts," approved March 13, 1912, being Chapter 74 of the acts of 1912, and being also Section 1840a of the Kentucky Statutes.

S. B. 88. An act to amend Section 3751, Kentucky Statutes.

S. B. 59. An act to prohibit public officers of this Commonwealth from seeking to have their salaries or the salaries of others increased during the term for which they are appointed or elected.

S. B. 118. An act to amend and re-enact Sections 3194 and 3195 of the Kentucky Statutes, relating to the sinking fund in cities of the second class.

With an amendment thereto.

H. B. 451. An act creating and relating to the office of County Road Engineer in counties containing more than 200,000 population and providing for his term of office, qual-

ification, assistants and compensation, and repealing all laws in conflict herewith.

H. B. 466. An act to permit counties to vote a tax for the improvement and construction of the public roads and bridges of the county.

H. B. 383. An act to repeal an act approved March 18, 1914, and known as Chapter 47 of the Session Acts of 1914, and entitled, "An act relating to poll or capitation tax and providing for the collection (of but) to put one poll tax from citizens of cities of the third class."

H. B. 488. An act to amend an act entitled, "An act providing for the payment of interest on warrants issued for claims against the State of Kentucky, and fixing the order of payment thereof, and the funds from which said warrants shall be paid," approved May 8, 1897, by repealing said act and enacting a substitute therefor, which was neither approved nor disapproved by the Governor, being Chapter 72 of the Acts of 1910, and to amend an act entitled, "An act to amend Section 3 of Chapter 72 of the Acts of 1910," approved by the Governor on March 17, 1914, being Chapter 27 of the Acts of 1914, by repealing both of said acts and enacting a substitute therefor.

S. B. 36. An act to provide for the burning or destroying of old election stub books.

H. B. 491. An act to require the separation of white and colored prisoners in county jails, etc.

S. B. 178. An act to repeal an act entitled, "An act to incorporate the town of Dunnville in Casey county," being Chapter 694 of Session Acts 1877-1878, and which act was approved March 30, 1878.

H. B. 77. An act to amend Section 2557a of the Kentucky Statutes, relating to the sale of intoxicating beverages.

S. B. 141. An act to amend and re-enact Section 2 of Chapter 70 of the Acts of the General Assembly of 1914, which relates to the parole of prisoners confined in the State penal institutions.

S. B. 142. An act to repeal and re-enact Chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony or misdemeanor.

H. B. 327. An act to provide a uniform system of classification of risks, premium rates and schedule ratings for the Kentucky Employers' Insurance Association and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation Insurance Act; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Workmen's Compensation Board to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this act, and fixing the penalties for the violation thereof.

The provision of the Constitution as to the second reading of said bills at length being dispensed with they were read the second time by their titles and ordered to be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 230. An act to amend and re-enact Sections 2059,

2060 and 2058, Chapter 63 of the Kentucky Statutes, Carroll's Editions of 1903 and 1915, relating to the State Board of Health.

Mr. Dowling moved that said House Bill 230 be recommitted to the Committee on Kentucky Statutes.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 120. An act providing for a progressive tax on direct and collateral inheritances.

Mr. Hutchcraft moved that said House Bill 120 be recommitted to the Committee on Revenue and Taxation, with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 81. An act to repeal an act entitled, "An act designating the method of selecting a person to act in the absence of, or disqualification of a County Judge." Approved March 19, 1912, and known as Chapter 139 of the Session Acts of 1912, and to re-enact Section 1059 of the Kentucky Statutes of 1909, compiled by Hon. Jno. D. Carroll.

Mr. Joe Schneider moved that said House Bill 81 be recommitted to the Committee on County and City Courts, with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 131. An act to amend and re-enact Section 68a Kentucky Statutes, Carroll's Edition, 1915, relating to dogs and the promotion of the sheep industry.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 68a, Kentucky Statutes, 1915, be amended by adding thereto after the word "wishes" in the fifth line the following words: "And provided further: There shall be exempt from taxation one dog of persons with a family." So that said section when amended will read as follows:

Each year every dog over four months old shall be listed for taxation, as herein provided, either by the owner or by the assessor in the name of the owner, without fixing any valuation thereto. Provided, the owner may, if he so desires, affix any value thereto he wishes; and provided further, there shall be exempt from taxation one dog of persons with a family. Every person who keeps or harbors a dog or who knowingly permits the keeping or harboring of a dog upon his premises shall, for the purposes of listing and taxation be deemed the owner thereof, and the assessor and his deputies shall ascertain the owner or harborer of each dog within his territory, and list and return the same by magisterial districts. The Auditor shall provide blank spaces in Assessors' books and schedules, and the Assessor in listing a dog shall enter its description upon the schedule, stating the kind, sex, age, color, size and name if any.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Radcliffe moved to lay said bill on the table.

The yeas and nays being called for on said motion to table by Messrs. Stone and Bailey were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Dr. J. E. Lilly	W. A. Price
Geo. B. Barrett	Dr. C. W. Mathers	Richard Radcliffe
R. T. Crowe	Jacob Metzger	D. S. Richardson
James S. Cruse	Harry J. Meyers	Joe Schneider
H. C. Cummins	Claude D. Minor	L. M. Smith
Jas. R. Dorman	S. Montgomery	E. D. Smith
W. E. Dowling	John T. Murphy	Claude B. Smith
William Duffy	B. F. McAtee	John W. Snider
J. R. Durham	W. J. McMurray	Adam Spahn
W. C. G. Hobbs	C. B. Nichols	J. D. Wills
David J. Howard	S. Mazyck O'Brien	W. M. Webb
Chas. L. Hunter	William A. Perry	E. S. Wood
R.B.Hutchcraft,Jr.	Geo. L. Pickett	Louis E. Yewell
H. Clay Kauffman	A. B. Pieratt	E. G. Young

—42

Those who voted in the negative were—

H. F. S. Bailey	Thomas A. Dover	T. R. Jones
C. H. Bays	J. M. Elliston	W. H. Jones
Chas. D. Bratcher	T. T. Gardner	Wm. J. Kuh
G. G. Brashear	Wm. Gearheart	W. R. Lyon
Frank J. Brown	Frank C. Greene	G. B. Moores
W. H. Brown	C. H. Grimes	E. B. McGlone
E. Bullock	J. S. Hall	L. T. Neat
Glover H. Cary	A. B. Holland	A. J. Oliver
R. A. Cook	J. M. Howell	Harry P. Purnell
A. S. Cooper	R. B. Jackson	John T. Roach
S. C. Dobbs	J. M. Johnson	Lewis Ryans

Thomas Spurrier	Robt. R. Treadway	J. W. Wall
Ed. D. Stone	F. C. Trivette	John S. Webb
Bannie Tabor	D. B. Tyra	Frank M. White
R. C. Tartar	J. Wood Vance	M. O. Wilson

—45

And so said motion was disagreed to.

Mr. Radcliffe moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Mr. Radcliffe moved that said House Bill 131 be recommitted to the Committee on Agriculture, with leave to report at any time.

The yeas and nays being called for on said motion to recommit by Messrs. Radcliffe and Crowe were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	H. Clay Kauffman	A. B. Pieratt
Geo. B. Barrett	Dr. J. E. Lilly	W. A. Price
R. T. Crowe	Dr. C. W. Mathers	Richard Radcliffe
James S. Cruse	Jacob Metzger	D. S. Richardson
H. C. Cummins	Harry J. Meyers	Joe Schneider
Jas. R. Dorman	Claude D. Minor	L. M. Smith
W. E. Dowling	John T. Murphy	E. D. Smith
William Duffy	B. F. McAtee	Claude B. Smith
J. R. Durham	W. J. McMurray	John W. Snider
W. C. G. Hobbs	C. B. Nichols	J. D. Wills
David J. Howard	S. Mazyck O'Brien	Louis E. Yewell
Chas. L. Hunter	William A. Perry	E. G. Young
R.B.Hutchcraft,Jr.	Geo. L. Pickett	

—38

Those who voted in the negative were—

H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
G. G. Brashear
Frank J. Brown
W. H. Brown
E. Bullock
Glover H. Cary
R. A. Cook
A. S. Cooper
S. C. Dobbs
Thomas A. Dover
J. M. Elliston
T. T. Gardner
Wm. Gearheart
W. G. Gooch
Frank C. Greene
C. H. Grimes
J. S. Hall
A. B. Holland
J. M. Howell
R. B. Jackson
J. M. Johnson
T. R. Jones
W. H. Jones
Wm. J. Kuh
W. R. Lyon
G. B. Moores
E. B. McGlone
L. T. Neat
A. J. Oliver
Harry P. Purnell
John T. Roach
Lewis Ryans
Adam Spahn
Thomas Spurrier
Ed. D. Stone
Bannie Tabor
R. C. Tartar
Robt. R. Treadway
F. C. Trivette
D. B. Tyra
J. Wood Vance
J. W. Wall
John S. Webb
W. M. Webb
Frank M. White
M. O. Wilson
E. S. Wood

—49

And so said motion was disagreed to.

Mr. Spahn moved that this House do now adjourn.

The yeas and nays being called for on said motion to adjourn by Messrs. Crowe and Spahn were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
Geo. B. Barrett
Glover H. Cary
R. T. Crowe
James S. Cruse
H. C. Cummins
Jas. R. Dorman
W. E. Dowling
William Duffy
T. T. Gardner
W. G. Gooch
David J. Howard
Chas. L. Hunter
Dr. J. E. Lilly
Dr. C. W. Mathers
Jacob Metzger
Claude D. Minor
S. Montgomery
John T. Murphy
B. F. McAtee
W. J. McMurray
C. B. Nichols
S. Mazyck O'Brien
William A. Perry
Geo. L. Pickett
W. A. Price
J. D. Pumphrey

Lewis Ryans	John W. Snider	Louis E. Yewell
Joe Schneider	Adam Spahn	E. G. Young
Claude B. Smith	D. B. Tyra	—35

Those who voted in the negative were—

H. F. S. Bailey	A. B. Holland	D. S. Richardson
C. H. Bays	J. M. Howell	John T. Roach
Chas. D. Bratcher	R.B.Hutchcraft,Jr.	L. M. Smith
G. G. Brashear	R. B. Jackson	E. D. Smith
Frank J. Brown	J. M. Johnson	Thomas Spurrier
W. H. Brown	T. R. Jones	Ed. D. Stone
E. Bullock	W. H. Jones	Bannie Tabor
R. A. Cook	H. Clay Kauffman	R. C. Tartar
A. S. Cooper	Wm. J. Kuh	Robt. R. Treadway
S. B. Coleman	W. R. Lyon	F. C. Trivette
S. C. Dobbs	Harry J. Meyers	J. Wood Vance
Thomas A. Dover	G. B. Moores	J. W. Wall
J. M. Elliston	E. B. McGlone	John S. Webb
Wm. Gearheart	L. T. Neat	W. M. Webb
Frank C. Greene	A. J. Oliver	Frank M. White
C. H. Grimes	A. B. Pieratt	J. D. Wills
J. S. Hall	Harry P. Purnell	M. O. Wilson
W. C. G. Hobbs	Richard Radcliffe	E. S. Wood
		—54

And so said motion was disagreed to.

Mr. Crowe moved that the further consideration of said House Bill 131 be postponed and that same be made a special order for Monday next at 2 o'clock p. m.

The yeas and nays being called for on said motion by Messrs. Crowe and Howard were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Dr. C. W. Mathers	W. A. Price
Glover H. Cary	Harry J. Meyers	Richard Radcliffe
R. T. Crowe	Claude D. Minor	D. S. Richardson
James S. Cruse	John T. Murphy	Joe Schneider
W. E. Dowling	B. F. McAtee	E. D. Smith
William Duffy	W. J. McMurray	Claude B. Smith
David J. Howard	C. B. Nichols	John W. Snider
Chas. L. Hunter	S. Mazyck O'Brien	Adam Spahn
H. Clay Kauffman	William A. Perry	Louis E. Yewell
W. T. Lasley	Geo. L. Pickett	
Dr. J. E. Lilly	A. B. Pieratt	—31

Those who voted in the negative were—

H. F. S. Bailey	C. H. Grimes	Harry P. Purnell
Geo. B. Barrett	J. S. Hall	John T. Roach
C. H. Bays	A. B. Holland	L. M. Smith
Chas. D. Bratcher	J. M. Howell	Thomas Spurrier
G. G. Brashear	R. B. Jackson	Ed. D. Stone
Frank J. Brown	J. M. Johnson	Bannie Tabor
W. H. Brown	T. R. Jones	R. C. Tartar
E. Bullock	W. H. Jones	Robt. R. Treadway
R. A. Cook	Wm. J. Kuh	F. C. Trivette
A. S. Cooper	W. R. Lyon	D. B. Tyra
S. C. Dobbs	Jacob Metzger	J. Wood Vance
Thomas A. Dover	S. Montgomery	J. W. Wall
J. R. Durham	G. B. Moores	John S. Webb
J. M. Elliston	E. B. McGlone	W. M. Webb
T. T. Gardner	L. T. Neat	Frank M. White
Wm. Gearheart	A. J. Oliver	M. O. Wilson
Frank C. Greene	J. D. Pumphrey	E. S. Wood
		—51

And so said motion was disagreed to.

Mr. Gardner moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 25, 1916.

The House was opened with prayer by the Rev. J. T. McGlothlin, Pastor of the Baptist Church, of Frankfort, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

H. B. 49. An act to amend the Kentucky Statutes, Chapter 89, Section 2928a, by adding thereto Section 2938b, creating the office of Court Matron for the Police Court in cities of the first class, and prescribing her rights, duties and compensation.

H. B. 75. An act changing the times for holding the Sessions of the Circuit Courts of the Twenty-first Circuit Court District of Kentucky.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed

by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The Committee on Enrollments also reported that they examined and found correctly enrolled, bills and resolutions which originated in the Senate of the following titles, viz.:

S. B. 103. An act to amend an act entitled, "An act concerning the State Inspector and Examiner," approved January 13, 1893.

S. B. 111. An act to amend and re-enact Sub-sections 5 and 14, of Section 4221a, Kentucky Statutes, Edition 1915 which was Sections 5 and 14 of the law enacted in 1914, known as the State Text Book Commission Law.

S. Res. 13. Resolution petitioning Congress to enact legislation for prevention of loss by floods.

S. Res. 19. Resolution adjourning both Houses out of respect to George Washington.

Whereupon all other business was suspended, said bills and resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills and resolutions.

Ordered that the Enrolling Clerk deliver said bills and resolutions to the Senate.

By the unanimous consent of the House the Hon. Z. L.

Myers, Ex-member of this House, was granted the privilege of the floor of the House.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Howard, of the Committee on Criminal Law:

H. B. 519. An act to amend and re-enact Section 786 of the Kentucky Statutes.

By Mr. O'Brien, of the Committee on Military Affairs:

H. B. 426. An act to amend and re-enact Chapter 142 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 19, 1912, entitled, "An act to provide for the organization, armament, equipment, discipline and government of the militia."

By Mr. Crowe, of the Committee on Court of Appeals:

S. B. 14. An act to regulate the writing and publishing of the opinions of the Court of Appeals of Kentucky.

By Mr. Hobbs, of the Committee on Municipalities:

H. B. 428. An act to amend an act approved March 21, 1910, being Chapter 50, of the Acts of 1910, entitled an act to amend an act entitled, "An act for the government of cities of the second class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear as Article 13, Chapter 89, of the Kentucky Statutes, John D. Carroll's Edition of 1915.

By Mr. Hobbs, of the Committee on Tuberculosis:

H. B. 443. An act to amend Sections 5, 6, 8, 9, 10, 19, 21 and 22 of Chapter III. of the Acts of 1912, entitled, "An act concerning tuberculosis and to provide for the creation of a commission to be known as the Kentucky Board of Tuberculosis Commissioners, to define its powers and to make an appropriation therefor, and to authorize and provide for the establishment of districts consisting of one or more than one county, and to authorize and provide in such district for the location, erection, organization and management of a district sanatorium for the care and treatment of tuberculosis, and authorizing county and district taxation for the purpose of making an appropriation for the purchase of necessary land and construction and equipment of necessary buildings and an annual appropriation for the maintenance of such sanatorium;" and to add to said act Section 12a, providing how taxes shall be levied for the erection, equipment and maintenance of tuberculosis sanatorium and also adding Section 25a, providing for counties joining an already established sanatorium district.

With an amendment thereto.

Said bills were severally read at length the first time, and ordered to be placed in the calendar.

Mr. Harvey sent the following resolution to the Clerk's desk.

Said resolution reads as follows, viz.:

Whereas, the six men selected by W. B. Harvey and J. D. Pumphrey to investigate the charges and counter charges of said Harvey and Pumphrey have failed to agree on the seventh man;

Therefore, Be it resolved that the six men already selected be authorized to proceed with the investigation in the same manner and with the same authority that they would have had, had they selected the seventh man.

Mr. Perry moved that the consideration of said resolution be postponed until Tuesday next at 11 o'clock a. m., at which time same be set as a Special Order.

Said motion was agreed to.

The time having arrived for the Special Order, viz.: 11 o'clock a. m.

The further hearing and discussion of the majority and minority report filed on yesterday by the Special Committee, to hear evidence in the impeachment proceedings against J. E. Williams, County Judge of McCreary County, was resumed.

(For said reports offered by the said Special Committee see House Journal of yesterday.)

Mr. Hobbs moved that the majority report filed by said Special Committee be adopted.

Mr. White moved that the minority report be adopted as a substitute for the said majority report offered by the Special Committee.

The yeas and nays being taken on the adoption of said minority report in accordance with the provision of the Constitution and law of this Commonwealth, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	L. B. Hamilton	Lewis Ryans
C. H. Bays	W. B. Harvey	Thomas Spurrier
Chas. D. Bratcher	Chas. L. Hunter	Ed. D. Stone
G. G. Brashear	R. B. Jackson	J. H. Thompson
W. H. Brown	W. H. Jones	Robt. R. Treadway
E. Bullock	Dr. J. E. Lilly	F. C. Trivette
R. A. Cook	Jacob Metzger	D. B. Tyra
A. S. Cooper	Harry J. Meyers	J. W. Wall
W. P. Cropper	S. Montgomery	John S. Webb
James S. Cruse	G. B. Moores	W. M. Webb
Thomas A. Dover	E. B. McGlone	Frank M. White
J. M. Elliston	L. T. Neat	M. O. Wilson
Wm. Gearheart	A. J. Oliver	E. S. Wood
Frank C. Greene	A. B. Pieratt	Louis E. Yewell
C. H. Grimes	Harry P. Purnell	
J. S. Hall	D. S. Richardson	—46

Those who voted in the negative were—

H. F. S. Bailey	A. B. Holland	Geo. L. Pickett
Geo. B. Barrett	David J. Howard	W. A. Price
Frank J. Brown	J. M. Howell	J. D. Pumphrey
Glover H. Cary	R.B.Hutchcraft,Jr.	Richard Radcliffe
S. B. Coleman	J. M. Johnson	John T. Roach
R. T. Crowe	H. Clay Kauffman	Joe Schneider
H. C. Cummins	Wm. J. Kuh	L. M. Smith
S. C. Dobbs	W. T. Lasley	E. D. Smith
Jas. R. Dorman	M. E. Lee	Claude B. Smith
W. E. Dowling	Dr. C. W. Mathers	John W. Snider
William Duffy	John T. Murphy	J. Wood Vance
Odie Duncan	B. F. McAtee	J. D. Wills
J. R. Durham	W. J. McMurray	E. G. Young
T. T. Gardner	C. B. Nichols	H. C. Duffy
W. G. Gooch	S. Mazyck O'Brien	
W. C. G. Hobbs	William A. Perry	—46

And so said motion was disagreed to.

Said minority report was disagreed to.

The yeas and nays being taken on the adoption of said majority report in accordance with the provision of the Constitution and law of this Commonwealth, were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	W. C. G. Hobbs	William A. Perry
Geo. B. Barrett	A. B. Holland	Geo. L. Pickett
Frank J. Brown	David J. Howard	W. A. Price
Glover H. Cary	J. M. Howell	J. D. Pumphrey
S. B. Coleman	R.B.Hutchcraft,Jr.	Richard Radcliffe
R. T. Crowe	H. Clay Kauffman	John T. Roach
H. C. Cummins	Wm. J. Kuh	Joe Schneider
S. C. Dobbs	W. T. Lasley	L. M. Smith
Jas. R. Dorman	M. E. Lee	E. D. Smith
W. E. Dowling	Dr. C. W. Mathers	Claude B. Smith
William Duffy	Claude D. Minor	John W. Snider
Odie Duncan	John T. Murphy	J. Wood Vance
J. R. Durham	B. F. McAtee	John S. Webb
J. M. Elliston	W. J. McMurray	J. D. Wills
T. T. Gardner	C. B. Nichols	E. G. Young
W. G. Gooch	S. Mazyck O'Brien	H. C. Duffy

—48

Those who voted in the negative were—

Peter Ampler	Wm. Gearheart	Jacob Metzger
C. H. Bays	Frank C. Greene	Harry J. Meyers
Chas. D. Bratcher	C. H. Grimes	S. Montgomery
G. G. Brashear	J. S. Hall	G. B. Moores
W. H. Brown	L. B. Hamilton	E. B. McGlone
E. Bullock	W. B. Harvey	L. T. Neat
R. A. Cook	Chas. L. Hunter	A. J. Oliver
A. S. Cooper	R. B. Jackson	A. B. Pieratt
W. P. Cropper	W. H. Jones	Harry P. Purnell
James S. Cruse	Dr. J. E. Lilly	D. S. Richardson
Thomas A. Dover	W. R. Lyon	Lewis Ryans

Thomas Spurrier	F. C. Trivette	Frank M. White
Ed. D. Stone	D. B. Tyra	M. O. Wilson
J. H. Thompson	J. W. Wall	E. S. Wood
Robt. R. Treadway	W. M. Webb	Louis E. Yewell

—45

And so said motion to adopt the majority report was agreed to.

Said majority report was adopted.

Mr. Hobbs moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. William Duffy moved that the vote by which said majority report was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hobbs moved that the Speaker of the House appoint a committee to prepare articles of impeachment to be presented to the Senate.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Price, Pumphrey, Kauffman, William Duffy and Perry as such committee.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 231. An act to amend Section 3462 of Sub-division

IX. of Article IV. of Chapter 89 of Kentucky Statutes, Carroll's Edition, 1915, being a part of the act of June 14, 1893, relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office, meetings and quorum of the boards of education of said cities of the third class.

To the Committee on Municipalities.

Also that they had concurred in a resolution originating in the House of the following title, viz.:

H. Res. 5. Resolution directing Auditor of Public Accounts to refund certain money due saloon-keepers who had paid State licenses in excess of the period they were allowed to sell.

By the unanimous consent of the House the Hon. J. W. Barrell, Ex-member of the House, was granted the privilege of the floor of the House.

Mr. Yewell moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

SATURDAY, FEBRUARY 26, 1916.

The House was opened with prayer by the Rev. J. T. McGlothlin, Pastor of the Baptist Church, of Frankfort, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

By the unanimous consent of the House the Hon. E. G. Young was granted an indefinite leave of absence.

By the unanimous consent of the House the Hon. J. D. Pumphrey was granted an indefinite leave of absence.

The committee to which the same had been referred reported bills of the following titles, viz.:

On February the 15th a vote of the House was taken on House Bill 243, and on February 16th a vote of the House was taken on House Bill 155, as to whether or not the Committee on Alcoholic Liquor Traffic had held said bills an unreasonable length of time without reporting same.

The votes of the House took said bills from the committee, but at said times the chairman of the committee stated that he had left said bills in his room and therefore could not report them. Said bills are now reported.

By Mr. Barrett, of the Committee on Alcoholic Liquor Traffic:

H. B. 243. An act to regulate the shipment of intoxicating liquors into local option territory, and prohibiting any person receiving in excess of a certain quantity of such liquors in said territory, and the prohibiting of the solicitation of orders for such liquors in said territory, and providing punishment therefor.

By Same:

H. B. 155. An act to further regulate the shipment by carriers of alcoholic liquors into territory where the sale of such liquors is unlawful.

By Mr. Cummins, of the Committee on Public Bridges:

S. B. 138. An act to amend section 1 of an act entitled "An act providing for the construction of bridges across navigable streams in this Commonwealth."

By Mr. Gardner, of the Committee on Agriculture:

H. B. 504. An act to place medicinal roots and herbs on same footing, for taxation, as other growing crops.

By Mr. Hobbs, of the Committee on Municipalities:

S. B. 31. An act to amend section 69 of an act entitled "An act for the government of cities of the first class," approved July, 1893, relating to public improvements.

By Same:

S. B. 155. An act to amend and re-enact section 3095, Kentucky Statutes, relating to the condemnation of property by cities of the second class.

By Mr. Kauffman, of the Committee on Kentucky Statutes:

S. B. 256. An act to empower the Board of Penitentiary Commissioners to convey land to the United States government, lands for purposes of building locks and dams, and ceding such lands, when so conveyed.

With an amendment thereto.

By Mr. White, of the Committee on Education:

S. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of the State of Kentucky, and to require teachers to be examined in the subject of elementary agriculture.

By Mr. Pickett, of the Committee on Railroads:

H. B. 71. An act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 40. An act to provide an elective system of workmen's compensation for industrial accidents, prescribing the manner of election and the rights and liabilities of employers, employees and third parties; making provision for medical and surgical care of injured employees; establishing rates of compensation for personal injuries or death; providing method of insuring and securing the payment of such compensation; making minors *sui juris* for certain purposes; creating a board to administer this act, prescribing the duties, powers and rights thereof and imposing a tax upon insurance premiums also a tax upon employers who carry their own risk for the maintenance of such board and providing a system of appeal to the courts from the decisions of such board; prescribing certain penalties, with an emergency clause, and appropriating certain sums to meet the expenses of putting this act into effect, and repealing all laws and parts of laws in conflict herewith, to the extent of such conflict.

To the Committee on Compensation for Industrial Injuries.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Hamilton:

H. B. 538. An act appropriating money to erect a system of water works at the Kentucky Institute for Feeble Minded Children, at Frankfort, Ky., and purchase land for reservoir in connection therewith.

To the Committee on Appropriations.

By Mr. Bays:

H. B. 539. An act to pay sheriffs for summoning jurors and witnesses for the grand jury.

To the Committee on County and City Courts.

By Mr. Johnson:

H. B. 540. An act to repeal section 1697, subdivision 1, of article 15, chapter 46, of the Kentucky Statutes, Carroll's edition of 1915, entitled "Executions" and to substitute therefor.

To the Committee on Judiciary.

By Mr. Lasley:

H. B. 541. Relating to agricultural extension work and home economics; accepting the provisions of the act of Congress providing for co-operative agricultural extension work between agricultural colleges, which act was approved May 8, 1914; providing that such work shall be done under the directions of the Kentucky University, Lexington, Kentucky; changing the name of said university to University of Kentucky; amending and re-enacting section 1 of chapter 3, Acts of 1908; amending and re-enacting section 15, Kentucky Statutes, 1903; providing for the appointment of trustees of the University of Kentucky; creating an extension committee to have charge of extension work under the super-

vision of the University of Kentucky; providing for the election of an executive committee for the University of Kentucky; amending and re-enacting section 13 of the Act of March 21, 1906, creating the State Board of Agriculture, Forestry and Immigration; repealing section 2 of an act for the benefit of the Department of Agriculture, Labor and Statistics, approved March 11, 1912; appropriating money for the University of Kentucky; providing for the establishment of a marketing bureau; authorizing the fiscal courts of the counties and the boards of education of counties to appropriate money for extension work, and amending and re-enacting section 5 of an act for the benefit of the Department of Agriculture, approved March 21, 1906.

To the Committee on State University and Normal Schools.

By Mr. Montgomery:

H. B. 542. An act preventing the desecration of the flag of the United States, and providing penalties therefor.

To the Committee on Federal Relations.

By Mr. Coleman:

H. B. 543. An act repealing the charter of Fairview, incorporated under Act of February 6, 1846.

To the Committee on Public Roads and Highways.

By Mr. E. D. Smith:

H. B. 544. An act providing for the execution of a bond for costs in the Courts of this Commonwealth.

To the Committee on Circuit Courts.

By Mr. Lilly:

H. B. 545. An act authorizing the Superintendent of Public Instruction to purchase and loan to students of the elementary schools of Kentucky, text books free of cost for use in said schools.

To the Committee on Education.

By Mr. Dover:

H. B. 546. An act to establish and regulate charges for the transportation of passengers by corporations or companies owning or controlling electric railroad lines within incorporated cities of the first class.

To the Committee on Municipalities.

Mr. Moores moved that the rules be suspended and that House Bill 196 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration said bill which is of the following title, viz.:

H. B. 196. An act to repeal section 6, of chapter 62, Acts 1908, entitled "An act to amend an act approved March the 21st, 1906, entitled 'An act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a Normal Executive Council, which shall determine the requirements for admission and graduation and the courses of study for said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 6 of chapter 62 of the Acts of 1908 as set out in the title above be repealed, and same is hereby repealed, and that there be and now is enacted in lieu thereof the following, to-wit:

That students while in good faith attending a State Normal School may be examined for county teachers' certificate by a board of examiners to be selected and appointed by the superintendent of the county in which such Normal School is located, said board to have the same qualifications as the regular county examiner, and on the dates provided in the common school law for examination of teachers. If such Normal students are of age and character required by law in the case of other candidates for county certificates, the county superintendent of the county in which the Normal School they are attending is located shall admit them to examination and shall collect from each the legal fee of $1.00 and in addition thereto $1.00, which latter is to be used in defraying the expenses of holding the examination and in transmitting the examination papers as herein provided.

At the close of the examination the county superintendent shall transmit by registered mail or express the examination papers of each student candidate, together with the legal fee, to the county superintendent of the county from which said candidate desires his certificate issued.

The county board of examiners shall canvass the papers sent to them as above provided, and shall issue county certificates upon them, upon the same terms and conditions as

in case of candidates appearing in person for examination, and as is now or may hereafter be provided by law.

Mr. Kauffman moved the previous question.

The Speaker stated: Shall the main question be now put?

Which was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	T. T. Gardner	Dr. J. E. Lilly
H. F. S. Bailey	Wm. Gearheart	Dr. C. W. Mathers
Geo. B. Barrett	W. G. Gooch	Harry J. Meyers
C. H. Bays	L. B. Hamilton	Claude D. Minor
G. G. Brashear	W. B. Harvey	S. Montgomery
Frank J. Brown	W. C. G. Hobbs	G. B. Moores
W. H. Brown	A. B. Holland	John T. Murphy
Glover H. Cary	David J. Howard	B. F. McAtee
R. A. Cook	J. M. Howell	E. B. McGlone
R. T. Crowe	Chas. L. Hunter	W. J. McMurray
James S. Cruse	R.B.Hutchcraft,Jr.	C. B. Nichols
S. C. Dobbs	J. M. Johnson	A. J. Oliver
Thomas A. Dover	T. R. Jones	William A. Perry
William Duffy	W. H. Jones	A. B. Pieratt
Odie Duncan	H. Clay Kauffman	W. A. Price
J. R. Durham	Wm. J. Kuh	Harry P. Purnell
J. M. Elliston	W. T. Lasley	John T. Roach

Lewis Ryans	Adam Spahn	D. B. Tyra
Joe Schneider	Ed. D. Stone	J. W. Wall
L. M. Smith	R. C. Tartar	W. M. Webb
E. D. Smith	J. H. Thompson	J. D. Wills
Claude B. Smith	Robt. R. Treadway	E. S. Wood
John W. Snider	F. C. Trivette	Louis E. Yewell

—69

Those who voted in the negative were—

Chas. D. Bratcher	S. B. Coleman	H. C. Cummins
A. S. Cooper		

—4

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Kauffman moved that the rules be suspended and that House bill 374 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration said bill which is of the following title, viz.:

H. B. 374. An act to regulate the time of holding the terms of circuit court in the Thirteenth Judicial District and the length of said terms, and declaring an emergency.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the time for holding the terms of the circuit court in the thirteenth judicial district shall be as follows: Boyle county at Danville, on the first Monday in January; on the second Monday in April; and on the second Monday in September, and continue eighteen juridical days each.

Mercer county at Harrodsburg, on the fourth Monday in January; first Monday in May, and continue eighteen juridical days each; and on the first Monday in October, and continue twenty-four juridical days.

Lincoln county at Stanford, on the third Monday in February, and continue twelve juridical days; on the fourth Monday in May, and the first Monday in November, and continue eighteen juridical days.

Garrard county at Lancaster, on the second Monday in March, and the fourth Monday in November, and continue eighteen juridical days each, and on the third Monday in July, and continue twelve juridical days.

All acts and parts of acts in conflict herewith are hereby repealed.

Because of the reason that the time for holding circuit court in one of the counties in the above district under the old provision of the statute comes in June, and in order to have court held under the provision of this act an emergency is declared to exist.

Mr. Murphy moved the previous question.

The Speaker stated: Shall the main question be now put?

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	W. C. G. Hobbs	Geo. L. Pickett
H. F. S. Bailey	A. B. Holland	A. B. Pieratt
Geo. B. Barrett	David J. Howard	W. A. Price
G. G. Brashear	J. M. Howell	Harry P. Purnell
Frank J. Brown	R.B.Hutchcraft,Jr.	John T. Roach
W. H. Brown	J. M. Johnson	Lewis Ryans
Glover H. Cary	T. R. Jones	L. M. Smith
R. A. Cook	W. H. Jones	E. D. Smith
A. S. Cooper	H. Clay Kauffman	Claude B. Smith
S. B. Coleman	Wm. J. Kuh	John W. Snider
James S. Cruse	W. T. Lasley	Adam Spahn
H. C. Cummins	Dr. J. E. Lilly	Ed. D. Stone
S. C. Dobbs	W. R. Lyon	R. C. Tartar
Thomas A. Dover	Dr. C. W. Mathers	J. H. Thompson
W. E. Dowling	Jacob Metzger	Robt. R. Treadway
William Duffy	Harry J. Meyers	F. C. Trivette
J. R. Durham	Claude D. Minor	D. B. Tyra
J. M. Elliston	G. B. Moores	John S. Webb
T. T. Gardner	John T. Murphy	W. M. Webb
Wm. Gearheart	B. F. McAtee	Frank M. White
W. G. Gooch	W. J. McMurray	J. D. Wills
C. H. Grimes	L. T. Neat	M. O. Wilson
J. S. Hall	C. B. Nichols	E. S. Wood
L. B. Hamilton	William A. Perry	Louis E. Yewell

—72

Resolved, that the title thereof be as aforesaid.

Mr. Kauffman moved that the vote by which said bill

was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers moved that the House take up the unfinished business for consideration.

Said motion was agreed to.

The House then resumed the further consideration of a bill entitled, viz.:

H. B. 131. An act to amend and re-enact section 68a, Kentucky Statutes, Carroll's edition, 1915, relating to dogs and the promotion of the sheep industry.

(For said bill see House Journal of February 24th.)

The following pairs on said House Bill 131 were then announced to the House, viz.:

"This is to certify that J. R. Dorman and John T. Roach have paired on bill No. 131. Mr. Dorman would, if here, vote 'No' and Mr. Roach, 'Yes.'

(Signed) "J. R. DORMAN,
JOHN T. ROACH."

"The following pairs are hereby announced on H. B. 131. J. W. Wall would vote 'Yes', E. G. Young would vote 'No.'

(Signed) "J. W. WALL,
E. G. YOUNG."

Mr. Greene moved that the session of today be extended indefinitely.

Said motion was agreed to.

Ordered, that said House Bill 131 be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed, it was read the third time by its title and refused.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank C. Greene	A. J. Oliver
H. F. S. Bailey	C. H. Grimes	Claude B. Smith
C. H. Bays	J. S. Hall	Adam Spahn
Chas. D. Bratcher	A. B. Holland	Ed. D. Stone
G. G. Brashear	J. M. Howell	R. C. Tartar
Frank J. Brown	J. M. Johnson	J. H. Thompson
W. H. Brown	T. R. Jones	Robt. R. Treadway
E. Bullock	W. H. Jones	F. C. Trivette
Glover H. Cary	Dr. J. E. Lilly	D. B. Tyra
A. S. Cooper	W. R. Lyon	J. Wood Vance
S. C. Dobbs	Harry J. Meyers	John S. Webb
Thomas A. Dover	S. Montgomery	Frank M. White
Odie Duncan	G. B. Moores	J. D. Wills
J. M. Elliston	E. B. McGlone	
Wm. Gearheart	L. T. Neat	—43

Those who voted in the negative were—

S. B. Coleman	T. T. Gardner	R.B.Hutchcraft,Jr.
R. T. Crowe	W. G. Gooch	H. Clay Kauffman
James S. Cruse	L. B. Hamilton	W. T. Lasley
H. C. Cummins	W. B. Harvey	Dr. C. W. Mathers
W. E. Dowling	W. C. G. Hobbs	Jacob Metzger
William Duffy	David J. Howard	Claude D. Minor
J. R. Durham	Chas. L. Hunter	John T. Murphy

B. F. McAtee	W. A. Price	E. D. Smith
W. J. McMurray	Harry P. Purnell	John W. Snider
C. B. Nichols	Richard Radcliffe	W. M. Webb
S. Mazyck O'Brien	D. S. Richardson	M. O. Wilson
Geo. L. Pickett	Joe Schneider	E. S. Wood
A. B. Pieratt	L. M. Smith	Louis E. Yewell

—39

And so said bill failing to receive the constitutional majority was refused.

Mr. Gardner moved that the vote by which said House Bill 131 failed to receive a constitutional majority be reconsidered, and that said motion lie on the table.

The yeas and nays being called for on said motion by Messrs. Oliver and White, were as follows, viz.:

Those who voted in the affirmative were—

Glover H. Cary	David J. Howard	Geo. L. Pickett
S. B. Coleman	Chas. L. Hunter	A. B. Pieratt
R. T. Crowe	R.B.Hutcheraft,Jr.	W. A. Price
James S. Cruse	H. Clay Kauffman	Harry P. Purnell
H. C. Cummins	W. T. Lasley	Richard Radcliffe
W. E. Dowling	Dr. C. W. Mathers	Joe Schneider
William Duffy	Jacob Metzger	L. M. Smith
J. R. Durham	Claude D. Minor	E. D. Smith
T. T. Gardner	John T. Murphy	John W. Snider
W. G. Gooch	B. F. McAtee	W. M. Webb
L. B. Hamilton	W. J. McMurray	J. D. Wills
W. B. Harvey	C. B. Nichols	M. O. Wilson
W. C. G. Hobbs	S. Mazyck O'Brien	Louis E. Yewell

—39

Those who voted in the negative were—

Peter Ampler	Chas. D. Bratcher	W. H. Brown
H. F. S. Bailey	G. G. Brashear	E. Bullock
C. H. Bays	Frank J. Brown	R. A. Cook

A. S. Cooper	J. M. Johnson	Claude B. Smith
S. C. Dobbs	W. H. Jones	Ed. D. Stone
Thomas A. Dover	Dr. J. E. Lilly	R. C. Tartar
J. M. Elliston	W. R. Lyon	J. H. Thompson
Wm. Gearheart	Harry J. Meyers	Robt. R. Treadway
Frank C. Greene	G. B. Moores	F. C. Trivette
C. H. Grimes	E. B. McGlone	D. B. Tyra
J. S. Hall	L. T. Neat	John S. Webb
A. B. Holland	A. J. Oliver	Frank M. White
J. M. Howell	Lewis Ryans	—38

And so said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 93. An act to regulate the admission of attorneys to practice law.

Mr. Meyers moved that said House Bill 93 be recommitted to the Committee on Judiciary with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration a bill of the following title, viz.:

H. B. 158. An act to amend and re-enact section 4203, Kentucky Statutes, relating to the granting of license to persons to retail intoxicating liquors; and to regulate the issue of license for the purpose of retailing spirituous, vinous and malt liquors, and to require the location and description of the place for which such license is valid, and to forbid the use of blinds or screens in such places during such hours and days as liquor may not be legally sold, and providing for the forfeiture of bond given in connection with such license, and

for the forfeiture of such license for the violation of the laws of the State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4203, Kentucky Statutes, be amended and re-enacted so as to read as follows:

All license mentioned in this article, except license to sell by retail spirituous, vinous or malt liquors, shall be granted by the county clerk, except as otherwise specifically provided for; and all license to sell by retail spirituous, vinous or malt liquors shall be granted by the county court, unless specifically provided for in corporations under municipal charter or amendments thereto, but neither the county court nor such other officials, as are authorized under law to grant such license, shall grant a license to sell spirituous, vinous or malt liquors until ten days' notice shall be given by posting a written or printed notice at the door of the court house, or city hall or municipal building as the case may be, and at four other public places in the neighborhood where the liquor is to be sold; and, if the majority of the legal voters of the neighborhood shall protest against the application, it shall be refused. The county court, or such other officers as are authorized by law to issue such license, in each instance shall determine what constitutes the neighborhood; nor shall any such license be granted to any person of bad character, or who does not keep an orderly, law-abiding house; nor until such person to whom a license is granted shall take an oath in open court, or before the officers having power to grant such license, that he will in good faith conduct an orderly, law-abiding business. Every person who shall obtain such license to sell at retail spirituous, vinous or malt

liquors, or any of them, at any place in this State, or under any of the laws of this State authorizing the issue of such license, shall at the time it is granted, enter into a bond in the sum of one thousand dollars with good surety, payable to the Commonwealth of Kentucky, to be approved by the county court, or by the officers having the authority to issue such a license, conditioned upon a compliance with the law in substance as follows:

"Whereas, A. B. has been granted a license to sell spirituous, vinous or malt liquors at retail at....., in ..... county; Now, we, A. B. principal and C. D. his surety, do hereby covenant to and with the Commonwealth of Kentucky, that the said A. B. will not sell or otherwise dispose of, any spirituous, vinous or malt liquors, or any of them, on Sunday, or on any other day forbidden by law, and that he will conduct an orderly, law-abiding business and will not suffer any gaming, scandalous or disorderly conduct in his place or on his premises."

The said bond shall be forfeited to the Commonwealth of Kentucky upon the first conviction of a violation of any of the terms of the same and the court shall so adjudge. The amount of the bond thus forfeited shall be recovered as in the case of any other bond forfeited to the Commonwealth. If any person holding a license to retail spirituous, vinous or malt liquors, shall violate the provisions of this section, and any citizen of the county shall make affidavit showing such violation, it shall be the duty of the Commonwealth Attorney, immediately on receiving said affidavit, to file a petition in the name of the Commonwealth in the circuit court of the county for a forfeiture of the bond herein provided for, and in the event he shall fail or refuse to file said petition, any citizen, residing in the county where the license is granted, may, in the name of and for the use and benefit of the Commonwealth by such citizen as relator, file a petition in the cir-

cuit court of the county, asking that the bond be forfeited, which suit shall be tried by the court on the law and facts, and the Commonwealth or the defendant shall have the right to appeal to the Court of Appeals as in other cases. But, before any citizen shall be permitted to file any such action for the forfeiture of said bond, he shall be required to file his own affidavit and the affidavit of some other citizen of said county that the provisions of the bond have been violated. The act of any agent, or any person acting for the person to whom such license has been granted, shall be deemed the act of the principal, and the principal shall be held responsible for the acts of such agents the same as if he had committed such acts in person. Upon the trial of any such action instituted by the Commonwealth Attorney, or by any citizen as herein provided, if the evidence discloses that the holder of any such license has been guilty of any such violation of this act or of any other law as to the sale of liquor on Sunday, the court shall enter judgment forfeiting the said bond to the Commonewalth of Kentucky. In the case of the forfeiture of the bond, herein provided for, when suit shall have been instituted by an individual the cost of such proceedings shall be paid out of the amount collected on such bond, and the remainder thereof shall be covered into the treasury of the State, county and municipality; one-half thereof to be paid to the municipality; one-fourth thereof to the State and the remainder to the county. In the event of the forfeiture of the bond of a person licensed to sell at retail spirituous, vinous or malt liquors, under the provisions of this act, such person shall be ineligible to transact business under the said license until he shall have again given bond of like amount and in the manner hereinbefore required in this act. If the bond of any person, whose bond has been forfeited under the provisions of this act, shall be again forfeited for a second violation of the terms of his bond through proceedings instituted by the Commonwealth Attorney, or by any citizen as herein provided, the court

shall enter judgment forfeiting the license of such person and shall certify to the clerk of the county court that said license has been revoked. Any person, whose license has thus been forfeited, shall be ineligible to again hold such license under the authority of the Commonwealth of Kentucky during a period of five years; and any licensee for the sale of spirituous, vinous or malt liquors under the authority of the Commonwealth of Kentucky, who shall employ in the conduct of such business any person whose license has thus been forfeited, during the period of his ineligibility, shall be guilty of a misdemeanor and shall be fined not less than five nor more than twenty-five dollars for each offense. In suits to forfeit the license of any person instituted by a citizen as herein provided, the cost of the suit shall be adjudged against the licensee, in case of forfeiture, and the amount thereof may be recovered from him and his sureties upon his bond, by a motion or other proceedings, as provided by law for the recovery of money for the violation of any official bond; and there shall be taxed as cost in every such proceeding where a bond or license has been forfeited, a reasonable attorney's fee to be fixed by the court, which shall be paid as the other costs of the suit.

§ 2. The provisions of this act shall apply to all licenses granted before it takes effect, from the time it takes effect, and the holders of said licenses shall then comply with the provisions of this act as to taking oath and executing bond as herein required.

§ 3. In granting a license for the sale by retail of spirituous, vinous or malt liquors, or any of them, it shall be the duty of the county court, or other officer authorized by law to issue such license, to require in the application for such license the exact location, by street and number of the property to be used under such license, if granted, together with the name of the owner of the property at the time of

the issue of the license; and also, to delimit and describe in feet and inches the room for which such license shall be valid, together with all doors, windows and other apertures thereto. The sale or delivery of spirituous, vinous or malt liquors, or any of them, at or in any place or places other than the room so located, delimited and described shall be deemed a sale without license and shall be so adjudged by the court, but the provisions of this section shall not apply to any license authorizing the sale of such liquors in any reputable hotel in this State.

§ 4. A room where intoxicating liquors are sold by virtue of license issued under laws of this State for selling spirituous, vinous or malt liquors, or either of them, shall be so arranged, either with window or glass door, as that the whole of said room may be in view from the street or highway or any public passway, passing such room; and no blinds, screens or other obstructions shall be arranged, erected or placed so as to prevent the entire view of said room from the street, or highway or such public passway upon which the same is situated during such days and hours when the sale of such liquors is prohibited by law. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five nor more than one hundred dollars, or imprisoned in the county jail not exceeding thirty days; and, in case of conviction for the second offense, the court shall provide in the judgment that the license granted to such person shall be forfeited, and such person shall not be granted any such license or be employed in the sale of intoxicating liquors for another within a period of five years.

§ 5. All the provisions of this act shall apply to corporations engaged in the retail of spirituous, vinous and malt liquors, through an agent or agents, or any person act-

ing for or in behalf of such corporation, unless specifically excepted in this act.

Mr. Meyers moved that the session of today be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Meyers moved that the vote by which the session of today was extended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hutchcraft offered the following amendment to House Bill 158 by way of substitute therefor.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4203, Kentucky Statutes, be amended and re-enacted so as to read as follows:

All license mentioned in this article, except license to sell by retail spirituous, vinous or malt liquors, shall be granted by the county clerk, except as otherwise specifically provided for; and all license to sell by retail spirituous, vinous or malt liquors shall be granted by the county court, unless specifically provided for in corporations under municipal charter or amendments thereto, but neither the county court nor such other officials, as are authorized under law to grant such license, shall grant a license to sell spirituous, vinous or malt liquors until ten days' notice shall be given by posting a written or printed notice at the door of the court house, or city hall, or municipal building, as the case may be, and at four other public places in the neighborhood where the liquor is to be sold; and, if the majority of the legal voters of the

neighborhood shall protest against the application, it shall be refused. The county court, or such other officers as are authorized by law to issue such license, in each instance shall determine what constitutes the neighborhood; nor shall any such license be granted to any person of bad character, or who does not keep an orderly, law-abiding house; nor until such person to whom a license is granted shall take an oath in open court, or before the officers having power to grant such license, that he will in good faith conduct an orderly, law-abiding business, which shall in substance be as follows:

"Whereas, A. B. has been granted a license to sell spirituous, vinous or malt liquors at retail at....., in .....county: Now, I, A. B., do hereby covenant to and with the Commonwealth of Kentucky, that I will not sell or otherwise dispose of, any spirituous, vinous or malt liquors, or any of them, on Sunday, or on any other day forbidden by law, and that I will conduct an orderly, law-abiding business and will not suffer any gaming, scandalous or disorderly conduct in my place or on my premises."

If any person holding a license to retail spirituous, vinous or malt liquors, shall violate the provisions of his declaration taken on oath at the time such license is granted, or shall violate any of the provisions of this or any other act prohibiting the sale of such liquors on Sunday or at other times, and any citizen of the county shall make affidavit showing such violation, it shall be the duty of the Commonwealth's Attorney immediately on receiving said affidavit to file a petition in equity in the name of the Commonwealth in the circuit court of the county praying a forfeiture of the license herein provided for, and in the event he shall fail or refuse to file such petition any citizen residing in the county where the license is granted may in the name of and for the use and benefit of the Commonwealth by such citizen as relator, file a petition in equity in the circuit court of the county

asking that the license be forfeited, which suit shall be tried by the court as other equity cases, and the Commonwealth or the defendant shall have the right to appeal to the Court of Appeals as in other equity cases. But before any citizen shall be permitted to file any such action for the forfeiture of such license he shall be required to file his own affidavit and the affidavit of some other citizen of said county that the provisions of the law as above indicated have been violated. The act of any agent or any person acting for the person to whom such license has been granted, shall be deemed the act of the principal and the principal shall be held responsible for the acts of such agent the same as if he had committed such acts in person. Upon the trial of any such action instituted by the Commonwealth's Attorney or by any citizen as herein provided, if the evidence discloses that the holder of any such license has been guilty of any such violation of this act or of any other law as to the sale of liquor on Sunday, for the first offense the court shall enter judgment forfeiting the license issued by the Commonwealth of Kentucky through the county court or county clerk. After judgment for the first offense has been entered as herein provided against the defendant, if he again violates the law as indicated above, he shall in like manner be proceeded against, and if it again be adjudged that he has violated the law judgment shall be entered forfeiting the license issued by the Commonwealth as aforesaid and by the municipality. If after a second conivction he again violates the law, he shall in like manner as for the first two offenses be proceeded against, and if judgment is for the third time entered against him all license issued or held by him shall be forfeited and no license shall thereafter be granted or transferred to him for a period of one year, and no such license shall be granted or transferred to any person authorizing such person to transact or carry on such business in the building occupied by the defendant at the time judgment for the third offense was entered against him for a period of one year thereafter.

In suits to forfeit the license of any person instituted by a citizen as herein provided, the cost of the suit shall be against the licensee in case of forfeiture, and the amount thereof may be recovered from him by a motion or other proceedings as in other cases, and there shall be included, as a part of the cost a reasonable attorney's fee to be fixed by the court which shall be paid as other costs of the suit.

§ 2. In granting a license for the sale by retail of spirituous, vinous or malt liquors, or any of them, it shall be the duty of the county court or other officer authorized by law to issue such license, to require in the application for such license the exact location by street and number of the property to be used under such license, if granted, together with the name of the owner of the property at the time of the issue of the license; and also to delimit and describe the premises for which such license shall be valid, together with all doors, windows and other apertures thereto. The sale of any such liquors in any other place than the premises so delimited and described shall be deemed a sale without license, and no licensee shall maintain any private sitting room, bed-room or other room where such liquors are served, and any delivery of such liquors to any such room or rooms shall be deemed a sale without license, but this provision as to rooms shall not apply to reputable hotels maintaining a bar where such liquors are sold.

§ 3. A room where intoxicating liquors are sold by virtue of license issued under laws of this State for selling spirituous, vinous or malt liquors, or any of them, shall be so arranged either with window or glass doors as that the whole of said room may be in view from the street or highway or any public passway, hall or means of approach passing such room, and no blinds, screens or other obstructions shall be arranged, erected or placed so as to prevent the entire view of said room from the street or highway or such

public passway, hall or means of approach upon which the same is situated during such days and hours when the sale of such liquors is prohibited by law. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five nor more than one hundred dollars or imprisoned in the county jail not exceeding thirty days; and in case of conviction for the second offense the court shall provide in the judgment that the license granted to such person shall be forfeited, and such person shall not be granted any such license within a period of one year.

§ 4. It shall be the duty of the sheriff, mayor, chief of police or the officer performing the duties of chief of police by whatever title he may be known, the county attorney or Commonwealth's Attorney to enforce within their jurisdiction the provisions of the law relating to the sale of spirituous, vinous and malt liquors, or any of them, as such laws relate to prohibiting the sale of such liquors on Sunday or any other day on which said sales are prohibited by law, and if said officers shall fail to perform their duty in this respect they shall be deemed guilty of a misdemeanor for which they or either of them may be prosecuted by indictment or penal action and, upon conviction, may be fined in any sum not to exceed five hundred dollars, and such conviction shall operate as a forfeiture of office and the judgment shall so declare. When any of such officers shall fail or refuse to perform his or their duty in this respect, upon the petition of not less than five reputable resident citizens of the county, which petition shall state the time of such violation, the place at which the offense occurred and the name or names of the person or persons violating this act, which petition shall be duly verified before some person authorized to administer an oath by the persons offering same, it shall be the duty of the county or Commonwealth's Attorney to institute prosecution or penal action to enforce the provisions of this law against

such officer as may violate same; or the county attorney or Commonwealth's Attorney may institute such prosecution or penal action upon his own knowledge or information. In the event the Commonwealth's and county attorneys fail or refuse to institute such prosecution or penal action after having been petitioned so to do, and this fact shall be made known to the Governor by written petition verified as aforesaid by three or more reputable citizens of the county, the Attorney General of the State, at the instance of the Governor, shall institute such prosecution or penal action against such officials so failing to discharge their duty, and when so directed by the Governor, the Attorney General is hereby authorized and empowered to institute such proceeding or proceedings and prosecute the same in the same manner and with the same authority as the Commonwealth's or county attorney may have to prosecute such actions under the law, and in all such prosecutions or proceedings the Commonwealth or the defendant shall be entitled to a change of venue as in other cases. Any petitioner making a false affidavit in order to cause a prosecution or penal action to be instituted against any person under the provisions of this act, shall be deemed guilty of false swearing and if such prosecution is instituted by reason of such petition those filing the petition shall be subjected to an action for malicious prosecution if they acted without probable cause.

§ 5. In as much as the Sunday closing law is violated in this State, and in as much as the public demands that said law be enforced, and in as much as it is the intention of this act to enforce the provisions of such law, an emergency is declared to exist and this law shall take effect upon its passage and approval by the Governor.

§ 6. All acts or parts of acts in conflict herewith are hereby repealed.

The following pairs were announced to the House on said House Bill 158:

"To the House of Representatives: We, J. D. Pumphrey and T. A. Dover are hereby paired on the substitute for House Bill 158. If present Mr. Pumphrey would vote "Aye" (for the substitute) and Mr. Dover would vote "No" against the substitute.

(Signed) "J. D. PUMPHREY,
T. A. DOVER."

"J. R. Dorman and E. D. Stone have paired on the substitute to House Bill 158. Dorman for substitute, Stone opposed to substitute.

(Signed) "J. R. DORMAN,
E. D. STONE."

Mr. Perry offered the following amendment to said substitute proposed by Mr. Hutchcraft, viz.:

Amend the substitute for House Bill 158 by adding the following section:

"§ 7. No license granted under the provisions of this act for the sale by retail of spirituous, vinous or malt liquors, shall be issued by the Commonwealth to any applicant until such applicant shall first have paid for such license the sum of two thousand dollars, per annum."

Mr. Lasley moved that the House do now resolve itself into the committee of the whole on the State of the Commonwealth for the purpose of hearing the Attorney General of Kentucky, the Hon. M. M. Logan, explain the substitute proposed to said House Bill 158.

Said motion was agreed to.

The Speaker of the House deisgnated Mr. Crowe as chairman of the committee of the whole.

The Speaker of the House vacated the chair.

Thereupon Mr. Crowe occupied the chair as chairman of the committee of the whole.

After a time the committee of the whole, having heard the said Attorney General explain said substitute, Mr. Hobbs moved that said committee do now arise and report.

Said motion was agreed to.

Thereupon the Speaker of the House resumed the chair.

Mr. Crowe, chairman of the committee of the whole, reported that the Attorney General had been heard, and moved that said committee be now discharged.

Said motion was agreed to.

And said committee was discharged.

And the House was then in order.

Mr. Hutchcraft moved the previous question on said House Bill 158, and all pending amendments.

The yeas and nays being called for on said motion by Messrs. Roach and Perry, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Chas. D. Bratcher	S. B. Coleman
H. F. S. Bailey	Frank J. Brown	R. T. Crowe
Geo. B. Barrett	Glover H. Cary	James S. Cruse
C. H. Bays	R. A. Cook	S. C. Dobbs

W. E. Dowling	M. E. Lee	D. S. Richardson
William Duffy	Dr. J. E. Lilly	Lewis Ryans
Odie Duncan	Dr. C. W. Mathers	Joe Schneider
J. R. Durham	Jacob Metzger	E. D. Smith
J. M. Elliston	Harry J. Meyers	Claude B. Smith
T. T. Gardner	S. Montgomery	John W. Snider
Wm. Gearheart	John T. Murphy	Adam Spahn
W. G. Gooch	B. F. McAtee	J. H. Thompson
W. C. G. Hobbs	C. B. Nichols	Robt. R. Treadway
J. M. Howell	S. Mazyck O'Brien	D. B. Tyra
Chas. L. Hunter	A. J. Oliver	J. Wood Vance
R.B.Hutchcraft,Jr.	William A. Perry	John S. Webb
J. M. Johnson	W. A. Price	Frank M. White
T. R. Jones	Harry P. Purnell	Louis E. Yewell
Wm. J. Kuh	Richard Radcliffe	—56

Those who voted in the negative were—

W. H. Brown	W. H. Jones	L. M. Smith
E. Bullock	H. Clay Kauffman	Ed. D. Stone
A. S. Cooper	W. T. Lasley	R. C. Tartar
Thomas A. Dover	W. R. Lyon	F. C. Trivette
Frank C. Greene	G. B. Moores	J. W. Wall
C. H. Grimes	E. B. McGlone	W. M. Webb
J. S. Hall	W. J. McMurray	J. D. Wills
L. B. Hamilton	L. T. Neat	M. O. Wilson
W. B. Harvey	A. B. Pieratt	E. S. Wood
David J. Howard	John T. Roach	—29

And so said motion was agreed to.

The vote being taken on the amendment proposed by Mr. Perry to the substitute for House Bill 158, and the yeas and nays being called for on said amendment by Messrs. Perry and Duffy were as follows, viz.:

Those who voted in the affirmative were—

Geo. B. Barrett	L. B. Hamilton	John T. Roach
C. H. Bays	W. B. Harvey	Lewis Ryans
W. H. Brown	J. M. Johnson	L. M. Smith
E. Bullock	W. H. Jones	Ed. D. Stone
A. S. Cooper	W. R. Lyon	R. C. Tartar
James S. Cruse	G. B. Moores	F. C. Trivette
H. C. Cummins	E. B. McGlone	W. M. Webb
William Duffy	L. T. Neat	Frank M. White
Wm. Gearheart	A. J. Oliver	J. D. Wills
Frank C. Greene	William A. Perry	M. O. Wilson
C. H. Grimes	A. B. Pieratt	E. S. Wood
J. S. Hall	Richard Radcliffe	Louis E. Yewell

—36

Those who voted in the negative were—

Peter Ampler	J. M. Howell	C. B. Nichols
H. F. S. Bailey	Chas. L. Hunter	S. Mazyck O'Brien
Frank J. Brown	R.B.Hutchcraft,Jr.	Geo. L. Pickett
Glover H. Cary	T. R. Jones	W. A. Price
R. A. Cook	H. Clay Kauffman	D. S. Richardson
S. B. Coleman	Wm. J. Kuh	Joe Schneider
R. T. Crowe	W. T. Lasley	E. D. Smith
S. C. Dobbs	M. E. Lee	Claude B. Smith
W. E. Dowling	Dr. J. E. Lilly	John W. Snider
Odie Duncan	Dr. C. W. Mathers	Adam Spahn
J. R. Durham	Jacob Metzger	Robt. R. Treadway
J. M. Elliston	Harry J. Meyers	D. B. Tyra
T. T. Gardner	Claude D. Minor	J. Wood Vance
W. G. Gooch	S. Montgomery	J. W. Wall
W. C. G. Hobbs	John T. Murphy	John S. Webb
A. B. Holland	B. F. McAtee	
David J. Howard	W. J. McMurray	

—49

And so said amendment proposed by Mr. Perry was disagreed to.

A vote then being taken on the amendment by way of substitute to House Bill 158 proposed by Mr. Hutchcraft, and the yeas and nays being called for by Messrs. Hutchcraft and Kauffman, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	J. M. Howell	L. T. Neat
H. F. S. Bailey	Chas. L. Hunter	C. B. Nichols
C. H. Bays	R.B.Hutchcraft,Jr.	A. J. Oliver
Chas. D. Bratcher	J. M. Johnson	Geo. L. Pickett
Frank J. Brown	T. R. Jones	W. A. Price
Glover H. Cary	H. Clay Kauffman	Harry P. Purnell
R. A. Cook	Wm. J. Kuh	D. S. Richardson
S. B. Coleman	W. T. Lasley	Joe Schneider
R. T. Crowe	M. E. Lee	E. D. Smith
S. C. Dobbs	Dr. J. E. Lilly	Claude B. Smith
W. E. Dowling	Dr. C. W. Mathers	John W. Snider
Odie Duncan	Jacob Metzger	Adam Spahn
J. R. Durham	Harry J. Meyers	Robt. R. Treadway
J. M. Elliston	Claude D. Minor	D. B. Tyra
T. T. Gardner	S. Montgomery	J. Wood Vance
W. G. Gooch	John T. Murphy	John S. Webb
W. C. G. Hobbs	B. F. McAtee	Louis E. Yewell
A. B. Holland	W. J. McMurray	—53

Those who voted in the negative were—

Geo. B. Barrett	L. B. Hamilton	Lewis Ryans
G. G. Brashear	W. B. Harvey	L. M. Smith
W. H. Brown	David J. Howard	R. C. Tartar
E. Bullock	W. H. Jones	F. C. Trivette
A. S. Cooper	W. R. Lyon	J. W. Wall
James S. Cruse	G. B. Moores	W. M. Webb
H. C. Cummins	E. B. McGlone	Frank M. White
William Duffy	S. Mazyck O'Brien	J. D. Wills
Wm. Gearheart	William A. Perry	M. O. Wilson
Frank C. Greene	A. B. Pieratt	E. S. Wood
C. H. Grimes	Richard Radcliffe	
J. S. Hall	John T. Roach	—34

And so said amendment by way of substitute for House Bill 158, proposed by Mr. Hutchcraft, was agreed to.

Ordered that said bill as amended by way of substitute therefor, be read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, it was read the third time by its title, and as amended by way of substitute therefor, was passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler
H. F. S. Bailey
C. H. Bays
Chas. D. Bratcher
Frank J. Brown
W. H. Brown
E. Bullock
Glover H. Cary
R. A. Cook
A. S. Cooper
S. B. Coleman
R. T. Crowe
James S. Cruse
H. C. Cummins
S. C. Dobbs
W. E. Dowling
Odie Duncan
J. R. Durham
J. M. Elliston
T. T. Gardner
Wm. Gearheart
W. G. Gooch
C. H. Grimes
J. S. Hall
W. B. Harvey
W. C. G. Hobbs
A. B. Holland
David J. Howard
J. M. Howell
Chas. L. Hunter
R.B.Hutchcraft,Jr.
J. M. Johnson
T. R. Jones
W. H. Jones
H. Clay Kauffman
Wm. J. Kuh
W. T. Lasley
M. E. Lee
Dr. J. E. Lilly
W. R. Lyon
Dr. C. W. Mathers
Jacob Metzger
Claude D. Minor
S. Montgomery
G. B. Moores
John T. Murphy
B. F. McAtee
E. B. McGlone
W. J. McMurray
L. T. Neat
C. B. Nichols
A. J. Oliver
Geo. L. Pickett
A. B. Pieratt
W. A. Price
Harry P. Purnell
Richard Radcliffe
D. S. Richardson
John T. Roach
Joe Schneider
L. M. Smith
E. D. Smith
Claude B. Smith
John W. Snider
Ed. D. Stone
R. C. Tartar

Robt. R. Treadway	John S. Webb	E. S. Wood
F. C. Trivette	W. M. Webb	Louis E. Yewell
D. B. Tyra	Frank M. White	
J. Wood Vance	J. D. Wills	
J. W. Wall	M. O. Wilson	—78

Those who voted in the negative were—

Geo. B. Barrett	S. Mazyck O'Brien	Lewis Ryans
William Duffy	William A. Perry	Adam Spahn

—6

Mr. Hutchcraft moved that the title of said House Bill 158 be as amended by said substitute therefor.

Said motion was agreed to.

Mr. Hutchcraft moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Oliver moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

MONDAY, FEBRUARY 28, 1916.

The House was opened with prayer by the Rev. Benjamin Andres, Pastor of the Southern Presbyterian Church, of Frankfort, Kentucky.

The reading of the House Journal of Saturday, February 26, 1916, was dispensed with.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Perry:

H. B. 547. An act to provide for the taxation of mortgage of real property.

To the Committee on Revenue and Taxation.

By Mr. Cary:

H. B. 548. An act to repeal and re-enact sections 556, 769, 770 and 771, Kentucky Statutes, edition 1915, relating to corporations.

To the Committee on Railroads.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 75. An act to amend sections 2740 and 2741 of article 1, chapter 89, of Kentucky Statutes, Carroll's revised edition 1915, relating to the classification of cities and towns.

To the Committee on Classification of Cities and Towns.

S. B. 237. An act to amend an act relating to the establishment, protection and building of levees, for the public benefit, approved March 17, 1914.

To the Committee on Public Ditches and Fences.

S. B. 258. An act to amend section 2516 of the Kentucky Statutes.

To the Committee on Kentucky Statutes.

S. B. 302. An act to amend an act entitled, "An act to create a Board of Penitentiary Commissioners and regulate the penal institutions of this Commonwealth," which became a law on the 5th of March, 1898; and to repeal chapter 50 of the Acts of the General Assembly of 1912.

To the Committee on State Prisons and Houses of Reform.

S. B. 27. An act to regulate the licensing of vehicles operating between two or more municipalities within the Commonwealth of Kentucky.

To the Committee on Public Utilities.

S. B. 85. An act to repeal chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 and 4535h, inclusive, except section 4421a and 4421b, and re-enact the same chapter with the articles and sections corrected, rearranged, simplified, and the repealed sections and parts of sections omitted, and fixing the time of year at which text book adoption shall be made.

To the Committee on Education.

By the unanimous consent of the House Messrs. Bannie Tabor and S. D. Richardson were granted an indefinite leave of absence.

By the unanimous consent of the House the Hon. Walton Forgy, ex-member of the House, was granted the privilege of the floor of this House.

Mr. Bailey moved that beginning on Tuesday, February 29, 1916, the House of Representatives hold two sessions per day except Mondays and Saturdays; the first session to begin at 10 o'clock a. m. and extend until 12 o'clock; that at this session all the routine business shall first be disposed of; that the second session each day shall begin at two o'clock p. m., and extend until five o'clock p. m.; that at this session no business shall be transacted except the consideration of orders of the day only.

Said motion was agreed to.

Mr. Crowe offered the following joint resolution, viz.:

Resolution authorizing the exchange of a strip of ground 20 feet wide, belonging to Jennie Gentry, in the town of Rollington, Oldham county, Kentucky, for a strip of ground in Rollington, Oldham county, Kentucky, 20 feet wide, belonging to the State of Kentucky, and used by the Kentucky Confederate Home.

Whereas, the State of Kentucky is the owner of a lot in the town of Rollington, Oldham county, Kentucky, used by the Kentucky Confederate Home, containing two and one-half (2½) acres, and Jennie Gentry is the owner of a tract of ground containing six (6) acres, adjoining the above lot; and,

Whereas, there belonged to said lot of ground so used by the Kentucky Confederate Home a passway twenty feet wide on the south side of said Gentry's property, running from the said lot to the Pewee Valley road, and which passway has never been used for egress in the said lot of 2½ acres on account of said lot fronting the main Rollington road; and,

Whereas, said Jennie Gentry proposes to exchange for said unused passway, twenty feet of her ground on the north side of said 2½ acre tract, which said exchange would be beneficial to both parties, all of which is shown by a plan hereto attached. Now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Governor and the President of the Kentucky Confederate Home be, and they are hereby authorized to make exchange, for and on behalf of the Commonwealth, and of the Kentucky Confederate Home, of said passway or strip of land twenty feet wide to said Jennie Gentry upon consideration of said Gentry's conveyance to the State of Kentucky of a strip of ground twenty feet wide on the north side of said 2½ acre tract above described.

Ordered that said resolution lie on the Clerk's desk.

Mr. L. M. Smith moved that the rules be suspended and that House Bill 289 be taken from the orders of the day and placed upon its passage.

Mr. Spahn moved to lay said motion on the table.

The yeas and nays being called for on said motion made by Mr. Spahn, by Messrs. Spahn and Mathers, were as follows, viz.:

Those who voted in the affirmative were—

E. Bullock	R.B.Hutchcraft,Jr.	Adam Spahn	
R. T. Crowe	Dr. C. W. Mathers		—5

Those who voted in the negative were—

Peter Ampler	L. B. Hamilton	W. A. Price
H. F. S. Bailey	W. B. Harvey	Harry P. Purnell
C. H. Bays	W. C. G. Hobbs	Richard Radcliffe
Chas. D. Bratcher	A. B. Holland	John T. Roach
G. G. Brashear	David J. Howard	L. M. Smith
W. H. Brown	J. M. Howell	E. D. Smith
Glover H. Cary	R. B. Jackson	Claude B. Smith
A. S. Cooper	J. M. Johnson	Thomas Spurrier
S. B. Coleman	T. R. Jones	Ed. D. Stone
W. P. Cropper	W. H. Jones	R. C. Tartar
James S. Cruse	Wm. J. Kuh	Robt. R. Treadway
H. C. Cummins	W. T. Lasley	F. C. Trivette
S. C. Dobbs	M. E. Lee	D. B. Tyra
Jas. R. Dorman	Dr. J. E. Lilly	J. Wood Vance
William Duffy	W. R. Lyon	J. W. Wall
J. R. Durham	B. F. McAtee	W. M. Webb
J. M. Elliston	E. B. McGlone	Frank M. White
T. T. Gardner	W. J. McMurray	E. S. Wood
Wm. Gearheart	C. B. Nichols	Louis E. Yewell
Frank C. Greene	A. J. Oliver	E. G. Young
C. H. Grimes	Geo. L. Pickett	
J. S. Hall	A. B. Pieratt	—64

And so said motion was disagreed to.

The yeas and nays being called for on the motion made by Mr. L. M. Smith by Messrs. Crowe and Mathers, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	E. Bullock	H. C. Cummins
H. F. S. Bailey	Glover H. Cary	S. C. Dobbs
C. H. Bays	A. S. Cooper	Jas. R. Dorman
Chas. D. Bratcher	S. B. Coleman	Thomas A. Dover
G. G. Brashear	W. P. Cropper	William Duffy
W. H. Brown	James S. Cruse	J. M. Elliston

T. T. Gardner	M. E. Lee	E. D. Smith
Wm. Gearheart	W. R. Lyon	Claude B. Smith
C. H. Grimes	B. F. McAtee	Thomas Spurrier
J. S. Hall	E. B. McGlone	Ed. D. Stone
L. B. Hamilton	W. J. McMurray	R. C. Tartar
W. B. Harvey	C. B. Nichols	Robt. R. Treadway
W. C. G. Hobbs	A. J. Oliver	F. C. Trivette
A. B. Holland	William A. Perry	D. B. Tyra
David J. Howard	Geo. L. Pickett	J. Wood Vance
J. M. Howell	A. B. Pieratt	J. W. Wall
J. M. Johnson	Harry P. Purnell	W. M. Webb
T. R. Jones	Richard Radcliffe	Frank M. White
W. H. Jones	John T. Roach	E. S. Wood
Wm. J. Kuh	Lewis Ryans	Louis E. Yewell
W. T. Lasley	L. M. Smith	E. G. Young

—63

Those who voted in the negative were—

R. T. Crowe	Dr. J. E. Lilly	Adam Spahn
R.B.Hutchcraft,Jr.	Dr. C. W. Mathers	—5

And so said motion was agreed to.

The House then took up for consideration a bill of the following title, viz.:

H. B. 289. An act to regulate the sale of agricultural and other seeds.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. For the purposes of this act agricultural seeds are defined as seeds of red clover, white clover, alsike clover, crimson clover, Japan clover, sweet clover, alfalfa, Canada

field peas, cow-peas, soy beans, vetches, Kentucky blue-grass, Canada blue-grass, meadow fescue (Festuca pratensis and festuca elatior), sheep fescue, brome (awnless) grass, orchard grass, sweet vernal grass, meadow soft grass (Holcus lanatus), rye grasses, tall oat grass, red-top, timothy, Bermuda grass, millet, field corn, wheat, rye, barley, oats, Kaffir corn, sorghum, Sudan grass, broom corn, buckwheat, flax, hemp and rape, which are to be used for sowing or seeding purposes.

§ 2. Every lot of agricultural seeds as defined in section 1 of this act which is offered or exposed for sale within this State in lots of one pound or more shall be accompanied by a plainly written or printed statement in the English language, stating:

a. The name of the seeds.

b. The name and address of the person or persons offering the seeds for sale.

c. The approximate percentage by weight of purity or freedom from foreign matter, or from other seeds.

d. The approximate percentage by weight of the different species of foreign seeds, when sold as mixtures and so labeled.

e. The approximate percentage of germination as shown by laboratory tests.

§ 3. The seeds of quack grass (Agropyron repens), Canada thistle (Cnicus arvensis), clover and alfalfa dodder (Cuscuta epithymum), field dodder (Cuscuta arvensis), sour dock (Rumex acetosella), broom-rape (Orobanche ramosa), corn cockle (Agrostemma githago) and the bulbs of wild

onion (Allium vineale), are hereby defined as noxious weed seeds and bulbs. No person shall sell, offer or expose for sale within this State for seeding purposes any agricultural seeds defined in section 1 of this act containing a greater amount or proportion than one seed, or bulb, of any or all of these prohibited weeds to 2,000 seeds of the variety offered or exposed for sale.

§ 4. The percentage of purity required under section 2 of this act shall be based upon a test or analysis conducted either by the entomologist and botanist of the Kentucky Agricultural Experiment Station, or his assistants, or by the vendor of the seeds, or his agents; provided, that such tests or analyses made by the vendor, or his agents, shall conform to the regulations and methods of testing used by the Association of Official Seed Analysts, and shall be subject to retest by the experiment station.

§ 5. No person shall sell, expose, offer for sale, or have on his premises for sale, garden seeds or flower seeds in sealed packets unless each of same is plainly marked in 18-point black type with the year in which the packet was filled, and with the approximate percentage of germination.

§ 6. Whoever buys, or sells, seeds for use in this State for seeding purposes may submit fair samples of such seeds to the Kentucky Agricultural Experiment Station for examination and test of purity and of viability, and the entomologist and botanist, or his assistants, shall make such examinations and tests for residents free of charge and report thereon promptly to the sender. In case of a non-resident of Kentucky, for the test of purity a fee of one dollar shall be paid in advance and for a test of viability a further fee of two dollars shall be paid in advance, to the director of the station. All moneys received from such fees shall be paid

over to the treasurer of the board of control of said station, to be used in defraying the expenses of seed analyses.

§ 7. Authorized officers of the Kentucky Experiment Station may take for analyses, a sample from any lot of agricultural seeds offered or exposed for sale, not exceeding four ounces in weight; provided, that said sample shall be drawn or taken in the presence of the vendor or parties in interest, or his or their agents or representatives, and shall be taken from a parcel, lot or number of parcels, which shall not be less than ten per cent. of the whole lot inspected, and shall be thoroughly mixed. Said samples may be taken in the presence of two disinterested witnesses if the vendor or party in interest fails or refuses to be present when notified.

§ 8. The provisions of this act shall not apply to:

a. Any person selling agricultural seeds direct to seed merchants, or shipping to a general market to be cleaned, or graded, before being offered or exposed for sale for seeding purposes.

b. Agricultural seeds marked "Not clean" which are held in storage for the purpose of being cleaned.

§ 9. Whoever offers or exposes for sale within this State any seeds not complying with the provisions of this act, or whoever shall prevent authorized officers of the said experiment station from inspecting seeds and collecting samples as provided in this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five nor more than one hundred dollars; provided, however, that no prosecution for the first offense shall be instituted until after a hearing before the director of the experiment station has been granted in the following manner: When the said director becomes cognizant of the violation of any of the pro-

visions of this act he shall cause notice of such fact, together with a copy of the findings, to be given to the party or parties concerned, including those from whom the sample was obtained. The parties so notified shall be given an opportunity to be heard under such rules and regulations as may be prescribed. Notices shall specify the date, hour and place of hearing. The hearing shall be private, and the parties interested therein may appear in person or by attorney.

Whenever any agricultural seeds are found to have been sold or offered for sale in violation of this act, the director of the experiment station shall certify the facts to the Commonwealth's attorney of the district, or to the county attorney, or the city attorney of any city or town in which said seeds were found, together with a statement of the results of the analysis duly authenticated by the analyst under oath made before an officer authorized by the Commonwealth to administer an oath. It shall be the duty of every Commonwealth's attorney or city attorney to whom the director of said station reports any violation of this act to cause proceedings to be commenced against the party so violating the act and the same shall be prosecuted in the manner prescribed by law.

§ 10. No penalty or liability under this law shall be applicable to any seller of seeds unless prosecution be based upon samples taken by authorized officers of the Kentucky Experiment Station.

§ 11. The results of all analyses and tests of seeds made by the entomologist and botanist and his assistants may at his discretion be published in bulletins to be issued by the station.

§ 12. The words "persons," "vendors," and "whoever," as used in this act shall be construed to import both

plural and singular, as the case demands, and shall include corporations, companies and associations.

§ 13. Be it further enacted, that the seed law enacted by the General Assembly of 1904, entitled "An Act to prevent the adulteration, mixing and misbranding of orchard grass seed and other seeds and fixing a punishment therefor," and its amendment enacted by the General Assembly of 1906, together with all other acts or parts of acts in conflict with this act, are hereby repealed.

§ 14. This act shall take effect six months after its passage and approval by the Governor of the Commonwealth.

Mr. Perry offered the following amendment to said bill, viz.:

Amend House Bill 289 by striking out section 8.

Said amendment was disagreed to.

Mr. Cary moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Mr. Gardner moved that the session of today be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Crowe moved that House Bill 289 be recommitted to the Committee on Agriculture with instructions to the committee to confer with the Senate Committee which has under consideration the Pure Seed Bill in the Senate and see if

said committees can agree on this bill or a substitute that will be acceptable to both committees, and all parties concerned.

The yeas and nays being called for on said motion by Messrs. L. M. Smith and Hall were as follows, viz.:

Those who voted in the affirmative were—

R. T. Crowe	R.B.Hutchcraft,Jr.	Lewis Ryans
Thomas A. Dover	Dr. J. E. Lilly	—5

Those who voted in the negative were—

Peter Ampler	J. S. Hall	W. A. Price
H. F. S. Bailey	L. B. Hamilton	Harry P. Purnell
C. H. Bays	W. B. Harvey	Richard Radcliffe
Chas. D. Bratcher	W. C. G. Hobbs	John T. Roach
G. G. Brashear	A. B. Holland	L. M. Smith
W. H. Brown	David J. Howard	E. D. Smith
E. Bullock	J. M. Howell	Claude B. Smith
Glover H. Cary	R. B. Jackson	Thomas Spurrier
A. S. Cooper	J. M. Johnson	Ed. D. Stone
S. B. Coleman	T. R. Jones	R. C. Tartar
W. P. Cropper	W. H. Jones	Robt. R. Treadway
James S. Cruse	Wm. J. Kuh	F. C. Trivette
H. C. Cummins	W. T. Lasley	D. B. Tyra
S. C. Dobbs	M. E. Lee	J. Wood Vance
Jas. R. Dorman	W. R. Lyon	J. W. Wall
William Duffy	B. F. McAtee	John S. Webb
J. R. Durham	E. B. McGlone	W. M. Webb
J. M. Elliston	W. J. McMurray	Frank M. White
T. T. Gardner	C. B. Nichols	M. O. Wilson
Wm. Gearheart	A. J. Oliver	E. S. Wood
Frank C. Greene	Geo. L. Pickett	Louis E. Yewell
C. H. Grimes	A. B. Pieratt	E. G. Young
		—66

And so said motion was disagreed to.

Mr. Hutchcraft moved that the further consideration of House Bill 289 be postponed until tomorrow morning at 10:30.

Said motion was disagreed to.

Mr. W. M. Webb moved that the session of today be extended indefinitely.

Said motion was agreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	William Duffy	J. M. Johnson
H. F. S. Bailey	Odie Duncan	T. R. Jones
C. H. Bays	J. M. Elliston	W. H. Jones
Chas. D. Bratcher	T. T. Gardner	Wm. J. Kuh
G. G. Brashear	Wm. Gearheart	W. T. Lasley
W. H. Brown	Frank C. Greene	M. E. Lee
E. Bullock	C. H. Grimes	W. R. Lyon
Glover H. Cary	J. S. Hall	B. F. McAtee
A. S. Cooper	L. B. Hamilton	E. B. McGlone
S. B. Coleman	W. B. Harvey	W. J. McMurray
W. P. Cropper	W. C. G. Hobbs	C. B. Nichols
James S. Cruse	A. B. Holland	A. J. Oliver
H. C. Cummins	David J. Howard	Geo. L. Pickett
S. C. Dobbs	J. M. Howell	A. B. Pieratt
Jas. R. Dorman	R. B. Jackson	Harry P. Purnell

Richard Radcliffe	Ed. D. Stone	John S. Webb
John T. Roach	R. C. Tartar	W. M. Webb
L. M. Smith	Robt. R. Treadway	Frank M. White
E. D. Smith	F. C. Trivette	M. O. Wilson
Claude B. Smith	D. B. Tyra	E. S. Wood
Adam Spahn	J. Wood Vance	Louis E. Yewell
Thomas Spurrier	J. W. Wall	E. G. Young

—66

Those who voted in the negative were—

R. T. Crowe	Dr. C. W. Mathers	Lewis Ryans
Thomas A. Dover	William A. Perry	

—5

Resolved that the title thereof be as aforesaid.

Mr. L. M. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Oliver moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 29, 1916.

The House was opened with prayer by the Rev. J. I. Wills, Pastor of the Baptist Church, of Beattyville, Kentucky.

The reading of the House Journal of yesterday was dispensed with.

The Committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Duffy, of the Committee on Compensation for Industrial Injuries:

S. B. 40. An act to provide an elective system of workmen's compensation for industrial accidents, prescribing the manner of election and the rights and liabilities of employers, employes and third parties; making provision for medical and surgical care of injured employes; establishing rates of compensation for personal injuries or death; providing methods of insuring and securing the payments of such compensation; making minors *sui juris* for certain purposes; creating a board to administer this act, prescribing the duties, powers and rights thereof and imposing a tax upon insurance premiums, also a tax upon employers who carry their own risk for the maintenance of such board, and providing a system of appeal to the courts from the decisions of such board; prescribing certain penalties, with an emergency clause, and appropriating certain sums to meet the expenses of putting this act into effect, and repealing all laws and parts of laws in conflict herewith, to the extent of such conflict.

By Mr. John S. Webb, of the Committee on Claims:

H. B. 462. An act to permit P. F. Edwards to sue the State of Kentucky.

By Mr. L. M. Smith, of the Committee on Circuit Courts:

H. B. 525. An act to regulate and fix the time and terms for holding Circuit Court in the Thirty-fourth Judicial District.

By Same:

S. B. 236. An act to amend Section 965 Kentucky Statutes, as amended by act approved March 22, 1910, changing times and terms for the sessions of courts for the First Judicial District.

By Mr. Oliver, of the Committee on Codes of Practice:

H. B. 442. An act amending Section 2119 of Kentucky Statutes relating to action for divorce and the duties of county attorneys relative thereto and the fees allowed such attorneys for services in such actions.

With an amendment thereto.

By Mr. Howard, of the Committee on Criminal Law:

H. B. 503. An act making it unlawful for persons to congregate outside places of public worship.

By Mr. White, of the Committee on Education:

S. B. 24. An act to provide for the erection, organization and maintenance of county high schools jointly by two or more adjacent counties.

With an amendment thereto by way of substitute therefor.

Ordered that said substitute be printed.

By Mr. Cummins, of the Committee on Public Bridges:

H. B. 508. An act to convey to Hart county the interest of the State of Kentucky in the Rio Bridge Company, a corporation.

Ordered that said bills be read the first time at length and placed in the calendar.

Mr. Oliver moved that when this House adjourns today it be to meet again on Thursday morning, March 2nd, at 10 o'clock, in order to give the minority side of this House an opportunity to attend the Republican State Convention in Louisville tomorrow.

Said motion was agreed to.

Mr. L. M. Smith moved that the special order, viz.: House Bill 377, set down for 11 o'clock today be postponed until Friday next at 11 o'clock a. m.

Said motion was agreed to.

Mr. Harvey called up for consideration from the Clerk's desk a resolution set down for a special order for this hour.

Said resolution reads as follows:

Whereas, the six men selected by W. B. Harvey and J. D. Pumphrey to investigate the charges and counter-charges of said Harvey and Pumphrey have failed to agree on the seventh man;

Therefore, be it resolved that the six men already selected be authorized to proceed with the investigation in the same manner and with the same authority that they would have had, had they selected the seventh man.

Mr. Harvey moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Pumphrey offered the following amendment to the resolution offered by Mr. Harvey, viz.:

"Amend resolution offered by the gentleman from Webster by leaving the Speaker of this House appoint a committee to take charge of and investigate the charges made by the gentleman from Webster and the gentleman from Fleming on the floor of this House, and that the Committee selected by the aforesaid gentlemen be discharged."

Mr. Murphy moved that said resolution and amendment be laid on the table.

The yeas and nays being called for on Mr. Murphy's motion by Messrs. Harvey and Stone were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	Frank J. Brown	John T. Murphy

—3

Those who voted in the negative were—

H. F. S. Bailey	Thomas A. Dover	David J. Howard
C. H. Bays	W. E. Dowling	J. M. Howell
Chas. D. Bratcher	William Duffy	R.B.Hutchcraft,Jr.
G. G. Brashear	Odie Duncan	R. B. Jackson
W. H. Brown	J. M. Elliston	J. M. Johnson
E. Bullock	L. L. Embrey	T. R. Jones
Henry A. Cannon	T. T. Gardner	W. H. Jones
Glover H. Cary	Wm. Gearheart	Wm. J. Kuh
A. S. Cooper	W. G. Gooch	W. T. Lasley
S. B. Coleman	Frank C. Greene	Dr. J. E. Lilly
W. P. Cropper	C. H. Grimes	W. R. Lyon
R. T. Crowe	J. S. Hall	Dr. C. W. Mathers
James S. Cruse	L. B. Hamilton	Jacob Metzger
H. C. Cummins	W. C. G. Hobbs	Harry J. Meyers
S. C. Dobbs	A. B. Holland	G. B. Moores

B. F. McAtee	John T. Roach	John S. Webb
E. B. McGlone	L. M. Smith	W. M. Webb
W. J. McMurray	Claude B. Smith	Frank M. White
C. B. Nichols	John W. Snider	J. D. Wills
S. Mazyck O'Brien	Ed. D. Stone	M. O. Wilson
William A. Perry	R. C. Tartar	E. S. Wood
Geo. L. Pickett	J. H. Thompson	Louis E. Yewell
A. B. Pieratt	F. C. Trivette	E. G. Young
Harry P. Purnell	D. B. Tyra	
Richard Radcliffe	J. Wood Vance	—73

And so said motion to table was disagreed to.

The yeas and nays being called for on the amendment to said resolution proposed by Mr. Pumphrey, by Messrs. W. M. Webb and Greene, were as follows, viz.:

Those who voted in the affirmative were—

Frank J. Brown	W. C. G. Hobbs	S. Mazyck O'Brien
Glover H. Cary	R.B.Hutchcraft,Jr.	Geo. L. Pickett
R. T. Crowe	Wm. J. Kuh	W. A. Price
S. C. Dobbs	W. T. Lasley	Claude B. Smith
W. E. Dowling	Dr. J. E. Lilly	John W. Snider
William Duffy	Jacob Metzger	Adam Spahn
Odie Duncan	Harry J. Meyers	D. B. Tyra
J. M. Elliston	John T. Murphy	
W. G. Gooch	B. F. McAtee	—25

Those who voted in the negative were—

H. F. S. Bailey	A. S. Cooper	Frank C. Greene
C. H. Bays	W. P. Cropper	C. H. Grimes
Chas. D. Bratcher	James S. Cruse	J. S. Hall
G. G. Brashear	Thomas A. Dover	L. B. Hamilton
W. H. Brown	L. L. Embrey	A. B. Holland
E. Bullock	T. T. Gardner	David J. Howard
Henry A. Cannon	Wm. Gearheart	R. B. Jackson

J. M. Johnson	William A. Perry	W. M. Webb
T. R. Jones	A. B. Pieratt	Frank M. White
W. H. Jones	Harry P. Purnell	J. D. Wills
W. R. Lyon	Richard Radcliffe	M. O. Wilson
G. B. Moores	John T. Roach	E. S. Wood
E. B. McGlone	L. M. Smith	Louis E. Yewell
W. J. McMurray	Ed. D. Stone	E. G. Young
C. B. Nichols	R. C. Tartar	
A. J. Oliver	F. C. Trivette	—46

And so said amendment was disagreed to.

Said resolution offered by Mr. Harvey was then adopted.

Mr. Murphy, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a joint resolution of the following title, viz.:

H. Res. 5. Resolution directing Auditor of Public Accounts to refund certain money due saloon-keepers who have paid State licenses in excess of the period they were allowed to sell.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolution which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Gardner, of the Committee on Agriculture, to which the same had been recommitted, with leave to report at any time, reported a bill of the following title, viz.:

H. B. 86. An act to regulate the running at large of cattle and prescribing penalties and regulations against cattle entering the grounds of another from a public highway.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. If any cattle shall enter into any grounds of a person other than the owner from a public highway or thoroughfare over or through a fence, the owner or manager of such cattle shall be liable to the owner or occupant of such ground for all damages done by such cattle to his fence, trees, grass, grain, crops, cattle, or land, as he may have sustained thereby.

§ 2. The owner or occupant of any grounds into which cattle shall enter as provided in Section 1 of this act, shall have a lien upon all cattle for all damages done by such cattle to his fence, trees, grass, grain, crops, cattle and land, and he may take up and impound such cattle until such time as the owner or manager of said cattle shall pay him in full all such damages together with the cost of taking up and keeping said cattle.

If the name of the owner or manager of the cattle taken up and impounded is known to the person taking up and impounding the same he shall at once give notice in writing to the owner thereof of the fact that he has taken up and impounded such cattle, and of the amount of damages claimed by him, and the cost of taking up, impounding and keeping the same, whereupon, if the owner or manager of said cattle shall at once pay said sum so claimed by the taker up or impounder of said cattle he shall be entitled to the possession of the same.

In the event the owner or manager of such cattle shall not at once pay the damage and the cost of taking up and impounding the same, the taker up of the same shall within 48 hours report in writing the fact of the taking up and impounding of such cattle by him to the nearest justice of the peace or the judge of the quarterly court together with a description of the stock and the name of the owner, if known, or if the name of the owner be unknown, this fact shall be stated, together with the time and place when said cattle were by him taken up, which report shall be by him sworn to.

§ 3. When the report filed discloses the name of the owner the court before which the same shall be filed shall issue summons against the owner of such stock returnable not less than five days nor more than ten days to show cause why damages shall not be assessed against said stock and the cost of impounding and keeping the same, and the same sold and the proceeds arising from the sale of the same applied to the satisfaction of such demand, and the court shall always be open for the trial of cases arising under this act, which, except as herein otherwise provided for, shall be regulated by the provisions of the Civil Code.

§ 4. When the name of the owner of any cattle taken

up is not known, no summons shall be issued, but it shall be the duty of the justice or quarterly court judge to docket the proceeding as against the stock and post a notice at the court-house door, at the county seat of the county in which the stock shall have been taken up, in front of the residence of the party taking the same up, and in two other public places in the vicinity of the residence of the taker up of said stock, describing said stock, when and by whom taken up and requiring the owner to appear before the judge of said court at a time specified in said notice, not less than ten nor more than twenty days to show cause, if any he can, why the stock shall not be sold and the proceeds applied to the payment of the damages of the taker up together with the cost of impounding and selling the same.

§ 5. The owner of any stock taken up under the provisions of this act, after being summoned or notified as provided herein, shall have the right to appear and demand a trial, which shall be had as in other civil proceedings, and judgment shall be entered in accordance with the result of the trial; provided, however, that in the event the taker up of said stock is as a result of the trial awarded a judgment against the owner of said stock or against said stock, he shall be adjudged a lien on the said stock to satisfy such judgment as may be rendered in his favor together with the costs of said proceeding and the cost of taking up and impounding the same, and the same shall be by said court ordered sold by the constable or sheriff upon the same terms and in the same way as sales of personal property under execution, and such judgment shall direct that a sufficiency of the proceeds arising from the sale of said property be applied to the satisfaction of such judgment and the remainder if any shall be paid to the owner of said cattle, if known, and if not known, to be paid into court and held subject to the demand of the owner of the same.

§ 6. The taker up of cattle under this act shall be allowed the following fees:

For taking up a horse, mule, ass, bull, cow, calf, or ox, fifty cents per head, and for each sheep, hog, or goat, twenty-five cents per head, and shall be allowed thirty-five cents per day for each that he shall keep and care for each horse, mule, ass, bull, cow, calf, or ox, and fifteen cents per day for each day that he shall keep and care for each sheep, hog, or goat, the same to constitute a lien upon such stock and the proceeds arising from the sale of the same and to be taxed as a part of the cost incident to the keeping and sale of the same.

§ 7. The word "fence" as used in this act shall be construed to mean any means whatever adopted or in use for the purpose of enclosing grounds.

§ 8. The word "cattle" as used in this act shall be construed to include horse, mule, ass, sheep, hog, or goat, of any age or sex, bull, cow, heifer, calf, or ox.

§ 9. The word "impound" as used in this act shall be construed to mean the keeping and confining of cattle taken up under the provisions of this act by the taker up thereof, in a barn, stable, pen, enclosed lot, or field, in his possession or under his control.

§ 10. All acts and parts of acts in conflict with this act are hereby repealed.

The validity of this act is rested upon the following: Armstrong v. Brown, et al., and Wright v. Clark, et al., 160 Ky., 81 (50 S. W. Rep., 17.)

Note to the above case in 90 American St. Rep., page 211,

which contains reference to and comment upon the authorities authorizing such proceedings as provided for in this act.

Mr. Crowe moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned, in accordance with a resolution adopted yesterday, to meet again today at 2 o'clock p. m.

AFTERNOON SESSION.

At 2 o'clock the House reconvened.

Mr. Meyers offered the following resolution, viz.:

Whereas, under the Constitution of the State this House is authorized to employ four pages; and

Whereas, one of our valued pages was accidentally hurt and incapacitated; and

Whereas, it is expedient that this House have at least four pages for the remaining portion of this session; therefore,

Be it resolved by the House of Representatives,

That Robert Minor is hereby elected a page to serve for the remainder of this session.

Said resolution was adopted.

Mr. Duffy moved that the vote by which said resolution was adopted be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

The House then took up the unfinished business of the day, viz., a bill entitled:

H. B. 86. An act to regulate the running at large of cattle and prescribing penalties and regulations against cattle entering the grounds of another from a public highway.

(For a copy of said bill see the House Journal of the morning session.)

Mr. Tartar offered the following amendment to said bill, viz.:

Amend H. B. 86, Section No. 1., by adding to line 6 the words:

Provided that said cattle were on the said public highway or thoroughfare with the knowledge and consent of the said owner.

And so said amendment was agreed to.

Mr. McMurray offered the following amendment to said bill, viz.:

Amend House Bill No. 86 as follows:

Section 10, by striking out lines 3, 4, 5, 6, 7, 8 thereof.

Said amendment was agreed to.

Mr. Mathers offered the following amendment to said bill, viz.:

Amend Bill 86, Section 2, line 3, insert "lawful" before the word fence.

Amend by striking out Section 7.

Said amendment was agreed to.

The Committee on Agriculture offered the following amendment to said bill, viz.:

Amend by striking out Section 7, and inserting in lieu thereof the following:

The word fence as used in this act shall be construed to mean such fences as are in common use for the purpose of enclosing ground against stock.

By the unanimous consent of the House the above amendment was withdrawn.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and was refused.

The yeas and nays being aken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Chas. D. Bratcher	S. B. Coleman	William Duffy
G. G. Brashear	W. P. Cropper	T. T. Gardner
Frank J. Brown	James S. Cruse	Frank C. Greene
W. H. Brown	H. C. Cummins	W. C. G. Hobbs
Henry A. Cannon	W. E. Dowling	David J. Howard

J. M. Howell	Dr. J. E. Lilly	D. B. Tyra
R. B. Jackson	B. F. McAtee	John S. Webb
J. M. Johnson	C. B. Nichols	Frank M. White
H. Clay Kauffman	A. J. Oliver	M. O. Wilson
Wm. J. Kuh	W. A. Price	Louis E. Yewell
W. T. Lasley	L. M. Smith	E. G. Young

—34

Those who voted in the negative were—

H. F. S. Bailey	C. H. Grimes	E. B. McGlone
C. H. Bays	J. S. Hall	W. J. McMurray
E. Bullock	L. B. Hamilton	Geo. L. Pickett
Glover H. Cary	A. B. Holland	A. B. Pieratt
A. S. Cooper	R.B.Hutchcraft,Jr.	John T. Roach
R. T. Crowe	T. R. Jones	Claude B. Smith
S. C. Dobbs	W. H. Jones	John W. Snider
Jas. R. Dorman	W. R. Lyon	Ed. D. Stone
Thomas A. Dover	Dr. C. W. Mathers	R. C. Tartar
Odie Duncan	Jacob Metzger	J. Wood Vance
J. R. Durham	Harry J. Meyers	W. M. Webb
J. M. Elliston	Claude D. Minor	J. D. Wills
L. L. Embrey	G. B. Moores	E. S. Wood

—39

And so said bill was refused.

Mr. Bailey moved that the vote by which said bill was refused be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vance moved that the House concur in the Senate amendments to House Bill 2.

(For said bill see House Journal of January 28th.)

Said amendments proposed by the Senate to House Bill 2 are as follows, viz.:

In Senate, February 16, 1916.

Resolved that House Bill 2 do pass with the following amendments thereto, viz.:

Amend Section 1, line 22, by inserting the words, "Or other person," after the word "attorney" and before the word "shall" and same words in line 56 after the word "attorney" and before the word "shall."

Amend Section 1, line 41, by striking out the word "or" and insert in lieu thereof the word "and," and in the same line insert after the word "jail" the words "not less than thirty days, and."

Amend in line 63, strike out the word "or" and immediately following the figures "$10,000," and add the following, viz.:

"And any such officer or agent of any such corporation shall be."

Amend Section 2, line 12, before the figure "$5,000," by inserting the following: "And not less than $1,000 nor more than."

Amend Section 3, page 4, by inserting in line 4, after the word "indirectly" and before the word "in," the following:

"Or to agree or enter into any contract with any corporation, association or person to vote for or to support any particular thing or measure in consideration of the vote or support, moral or financial, of any such corporation, associa-

tion or person, and it shall be unlawful for any corporation, association or person to demand that any candidate for office shall promise or agree in advance or shall make any contract, oral or written, to support any particular individual, thing or measure, in consideration for the vote or the support, financial or moral, of such corporation or person."

Amend Section 5, line 1, by inserting the words, "Person or persons," after the word "committee" and before the word "having."

Amend Section 5 by striking out said section and substituting therefor the following:

"Any campaign committee or individual having charge of the candidacy of any person or group of persons, or managing, or paying the expenses, or contributing to the expenses of a campaign for the adoption or rejection of any question submitted to the people for their approval or rejection at any election shall make out a statement in the same manner and form as that provided for the candidate in this act, and it shall be verified by the chairman or secretary of the campaign committee or person acting in the capacity of chairman or secretary of such committee, and said statement shall be filed with the same officers with whom the candidates are required to file their statement. Any person violating the provision of this section shall be fined not less than $100 nor more than $5,000 or confined in the county jail at hard labor for not less than one month nor more than twelve months, or so both fined and imprisoned."

Amend Section 6, line 2, by inserting the words, "Person or persons in charge of said campaign," after the word "committee" and before the word "shall."

Amend Section 11, line 1, by inserting before the word

"election" and after the word "the" the words, "nomination or," and the same words in line 5 before the word "election" and after the word "said" the words, "nomination or."

Amend Section 11 by striking out the words after "void" and substituting the following: "And it is hereby provided that the candidate who has received the next highest number of votes and who has not violated the provisions of this act, shall be declared nominated or elected."

Amend Section 17, in line 6, by striking out the figures "$1,000" and insert the figures "$500."

On page 9, line 3, Section 20, after the words "civil proceeding," strike out "and it shall not require the evidence of more than one witness to convict any prosecution under this act."

Amend Section 21, on page 9, by striking out all of the said section, beginning at line 10, after the word "contempt," which reads as follows: "The railroad commission is given full power to investigate any alleged violations of any railroad doing business or organized under the laws of this State, and said commission is given full power to compel witnesses to appear before it and produce any books, correspondence or papers, or material evidence which may show or tend to show a violation of this act, and any officer, agent, employe, custodian or person in possession of such records, who wilfully refuses to obey the orders of said commission, shall be deemed guilty of a misdemeanor, and upon conviction, fined in any sum not exceeding $1,000 or imprisoned not exceeding one year."

Amend Section 21 by striking out all of said section following the word "contempt," in line 10, to and including the word "misdemeanor" in line 18.

Ordered that said amendments be printed.

Mr. Hobbs moved that the consideration of said amendments be postponed and that same be made a special order for Friday next, immediately following the conclusion of the special order set for that day at 11 o'clock a. m.

Said motion was agreed to.

Mr. Hobbs moved that the rules be suspended and that House Bill 312 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration a bill of the following title, viz.:

H. B. 312. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto and providing a census of adult illiterates.

Said bill reads as follows:

Whereas, the latest report of the United States Census Bureau shows 208,084 illiterate men and women in the State of Kentucky, and the Kentucky Illiteracy Commission is reducing that number and attempting to confer upon all the benefits and privileges of education; and

Whereas, the work of said Commission is greatly handicapped by lack of proper support; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated to the Kentucky Illiteracy Commission the sum of Twenty Thousand Dollars ($20,000) for the fiscal year ending June 30, 1916, and the sum of Twenty Thousand Dollars ($20,000) for each fiscal year from the first day of July, 1916, to June 30, 1920, to be paid to said Commission from time to time upon warrants signed by the president and secretary thereof drawn upon the Auditor who shall draw his warrant upon the Treasurer.

§ 2. The fund thus appropriated shall be expended for such clerical help, county field agents and other legitimate expenses as may be necessary in the efficient and economic methods of teaching illiterate men and women. Provided, however, that no part of the money herein appropriated shall be applied or be used to pay a salary, or any part of a salary, to any member of the Kentucky Illiteracy Commission.

§ 3. The Kentucky Illiteracy Commission, to enable it to expend the money herein appropriated intelligently and economically, shall have taken a census of the illiterates of the various counties of the State whose age is over twenty years; and it shall be the duty of the school trustees of the various school sub-districts to take such census and to report it to the County Superintendent of Schools of their respective counties, at the same time that he reports the census of the pupil children thereof, and he shall receive the same compensation as now provided by law that he receives for listing the pupil children. That the County Superintendent of Schools shall report such census of illiterates to the Kentucky Illiteracy Commission on or before the 30th day of June of each year, on blanks to be furnished by the Commission for that purpose.

§ 4. There shall be furnished the Commission the necessary printing for the conduct of its business in the same

manner as other departments of the State are provided therewith.

Mr. Coleman offered the following amendment to said bill, viz.:

Amend House Bill 312, paragraph 3, line 7, by placing a period after the word "thereof" and striking out the balance of line 7-8 and the word "children" in line 9.

Mr. Greene moved that the roll call be dispensed with and that said amendment be adopted.

Said motion was agreed to.

And so said amendment offered by Mr. Coleman was adopted.

Mr. Young offered the following amendment to said bill, viz.:

Amend Section 1 by adding to line 7 the words, "the appropriation herein provided for shall be paid out of the proceeds of the Dog Tax Fund."

Said amendment was disagreed to.

Mr. Coleman offered the following amendment to said bill, viz.:

Amend H. B. 312 by striking out paragraph 3.

The yeas and nays being called for by Messrs. Coleman and Hobbs on said amendment offered by Mr. Coleman were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	W. G. Gooch	B. F. McAtee
Chas. D. Bratcher	C. H. Grimes	S. Mazyck O'Brien
G. G. Brashear	A. B. Holland	Geo. L. Pickett
Henry A. Cannon	J. M. Howell	W. A. Price
Glover H. Cary	J. M. Johnson	J. D. Pumphrey
S. B. Coleman	T. R. Jones	John W. Snider
R. T. Crowe	H. Clay Kauffman	Ed. D. Stone
S. C. Dobbs	Wm. J. Kuh	J. H. Thompson
William Duffy	W. T. Lasley	D. B. Tyra
Odie Duncan	Dr. J. E. Lilly	J. Wood Vance
J. M. Elliston	Dr. C. W. Mathers	John S. Webb
L. L. Embrey	Harry J. Meyers	J. D. Wills
T. T. Gardner	G. B. Moores	Louis E. Yewell

—39

Those who voted in the negative were—

Peter Ampler	David J. Howard	John T. Roach
Frank J. Brown	R.B.Hutchcraft,Jr.	L. M. Smith
W. H. Brown	W. H. Jones	E. D. Smith
E. Bullock	M. E. Lee	Claude B. Smith
A. S. Cooper	W. R. Lyon	Adam Spahn
W. P. Cropper	Jacob Metzger	R. C. Tartar
James S. Cruse	Claude D. Minor	F. C. Trivette
Jas. R. Dorman	John T. Murphy	W. M. Webb
Thomas A. Dover	E. B. McGlone	Frank M. White
W. E. Dowling	W. J. McMurray	M. O. Wilson
Wm. Gearheart	C. B. Nichols	E. S. Wood
Frank C. Greene	A. J. Oliver	E. G. Young
J. S. Hall	A. B. Pieratt	
W. C. G. Hobbs	Harry P. Purnell	

—40

And so said amendment was disagreed to.

Mr. Bailey offered the following amendment to said bill, viz.:

Amend House Bill 312 by striking out the words, "Twenty Thousand Dollars ($20,000)" in line 2, Section 1, and inserting the words, "Five Thousand Dollars," and by striking the words, "Twenty Thousand Dollars ($20,000)" in line 3 of Section 1 and inserting the words, "Five Thousand Dollars."

The yeas and nays being called for by Messrs. Kauffman and Wills on the amendment offered by Mr. Bailey were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	C. H. Grimes	B. F. McAtee
Geo. B. Barrett	J. S. Hall	W. J. McMurray
Glover H. Cary	A. B. Holland	C. B. Nichols
S. B. Coleman	J. M. Howell	S. Mazyck O'Brien
W. P. Cropper	R. B. Jackson	Geo. L. Pickett
R. T. Crowe	J. M. Johnson	A. B. Pieratt
S. C. Dobbs	T. R. Jones	W. A. Price
Jas. R. Dorman	H. Clay Kauffman	J. D. Pumphrey
William Duffy	Wm. J. Kuh	Richard Radcliffe
Odie Duncan	W. T. Lasley	John W. Snider
J. R. Durham	Dr. J. E. Lilly	Ed. D. Stone
J. M. Elliston	W. R. Lyon	D. B. Tyra
L. L. Embrey	Dr. C. W. Mathers	J. Wood Vance
T. T. Gardner	Jacob Metzger	John S. Webb
W. G. Gooch	Harry J. Meyers	J. D. Wills

—45

Those who voted in the negative were—

Peter Ampler	Henry A. Cannon	Wm. Gearheart
C. H. Bays	A. S. Cooper	Frank C. Greene
Chas. D. Bratcher	James S. Cruse	L. B. Hamilton
Frank J. Brown	H. C. Cummins	W. C. G. Hobbs
W. H. Brown	Thomas A. Dover	David J. Howard
E. Bullock	W. E. Dowling	R.B.Hutchcraft,Jr.

W. H. Jones	William A. Perry	R. C. Tartar
M. E. Lee	Harry P. Purnell	F. C. Trivette
Claude D. Minor	John T. Roach	W. M. Webb
G. B. Moores	L. M. Smith	Frank M. White
John T. Murphy	E. D. Smith	M. O. Wilson
E. B. McGlone	Claude B. Smith	E. S. Wood
A. J. Oliver	Adam Spahn	E. G. Young

—39

And so said amendment was agreed to.

Mr. Spahn offered the following amendment to said bill, viz.:

Amend by striking out Section 4.

Said amendment was agreed to.

Mr. Howard offered the following amendment to said bill, viz.:

Amend House Bill No. 312, as follows:

Section 1, in lines 3 and 4, by striking out the following words, "for each fiscal year from the first day of July, 1916, to June 30, 1920," and inserting in lieu thereof the following, "for the fiscal year ending June 30, 1917."

And so said amendment was agreed to.

Mr. Radcliffe moved that said bill and all pending amendments be laid on the table.

The yeas and nays being called for on said motion by Messrs. Oliver and Hutchcraft were as follows, viz.:

Those who voted in the affirmative were—

H. F. S. Bailey	A. B. Holland	B. F. McAtee
Chas. D. Bratcher	J. M. Howell	Geo. L. Pickett
G. G. Brashear	R. B. Jackson	Richard Radcliffe
Glover H. Cary	J. M. Johnson	John W. Snider
S. B. Coleman	T. R. Jones	Ed. D. Stone
W. P. Cropper	Wm. J. Kuh	D. B. Tyra
Odie Duncan	W. T. Lasley	John S. Webb
J. R. Durham	Dr. J. E. Lilly	J. D. Wills
T. T. Gardner	Dr. C. W. Mathers	Louis E. Yewell
W. G. Gooch	Harry J. Meyers	—29

Those who voted in the negative were—

Peter Ampler	C. H. Grimes	William A. Perry
C. H. Bays	J. S. Hall	A. B. Pieratt
Frank J. Brown	L. B. Hamilton	W. A. Price
W. H. Brown	W. C. G. Hobbs	J. D. Pumphrey
E. Bullock	David J. Howard	Harry P. Purnell
Henry A. Cannon	R.B.Hutchcraft,Jr.	John T. Roach
A. S. Cooper	W. H. Jones	L. M. Smith
R. T. Crowe	H. Clay Kauffman	E. D. Smith
James S. Cruse	M. E. Lee	Claude B. Smith
H. C. Cummins	W. R. Lyon	Adam Spahn
S. C. Dobbs	Jacob Metzger	R. C. Tartar
Jas. R. Dorman	Claude D. Minor	F. C. Trivette
Thomas A. Dover	G. B. Moores	J. Wood Vance
W. E. Dowling	John T. Murphy	W. M. Webb
William Duffy	E. B. McGlone	Frank M. White
J. M. Elliston	W. J. McMurray	M. O. Wilson
L. L. Embrey	C. B. Nichols	E. S. Wood
Wm. Gearheart	S. Mazyck O'Brien	E. G. Young
Frank C. Greene	A. J. Oliver	—56

And so said motion was disagreed to.

Mr. Hobbs moved the previous question on said bill and

The Speaker stated: Shall the main question be now put? pending amendments.

Said question was decided in the affirmative.

The following pairs were announced to the House, viz.:

It is agreed that if Thos. Spurrier was present he would vote for Bill No. 312, known as the Illiteracy Bill, and J. H. Thompson would vote against the bill.

February 28, 1916.

(Signed)
THOS. SPURRIER,
J. H. THOMPSON.

Dr. Mathers and L. B. Hamilton are paired on H. B. 312.

(Signed)
L. B. HAMILTON,
C. W. MATHERS.

Ordered, that said bill as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title, and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Peter Ampler	James S. Cruse	Wm. Gearheart
H. F. S. Bailey	H. C. Cummins	Frank C. Greene
C. H. Bays	S. C. Dobbs	C. H. Grimes
Frank J. Brown	Jas. R. Dorman	J. S. Hall
W. H. Brown	Thomas A. Dover	W. B. Harvey
E. Bullock	W. E. Dowling	W. C. G. Hobbs
Henry A. Cannon	William Duffy	David J. Howard
A. S. Cooper	J. M. Elliston	R.B.Hutcheraft,Jr.
R. T. Crowe	L. L. Embrey	W. H. Jones

M. E. Lee	A. J. Oliver	R. C. Tartar
Jacob Metzger	William A. Perry	F. C. Trivette
Claude D. Minor	A. B. Pieratt	W. M. Webb
G. B. Moores	W. A. Price	Frank M. White
John T. Murphy	J. D. Pumphrey	M. O. Wilson
B. F. McAtee	Harry P. Purnell	E. S. Wood
E. B. McGlone	John T. Roach	Louis E. Yewell
W. J. McMurray	L. M. Smith	E. G. Young
C. B. Nichols	E. D. Smith	
S. Mazyck O'Brien	Adam Spahn	—55

Those who voted in the negative were—

Chas. D. Bratcher	J. M. Howell	Geo. L. Pickett
G. G. Brashear	R. B. Jackson	Richard Radcliffe
Glover H. Cary	J. M. Johnson	Claude B. Smith
S. B. Coleman	T. R. Jones	John W. Snider
W. P. Cropper	H. Clay Kauffman	Ed. D. Stone
Odie Duncan	Wm. J. Kuh	D. B. Tyra
J. R. Durham	W. T. Lasley	J. Wood Vance
T. T. Gardner	Dr. J. E. Lilly	John S. Webb
W. G. Gooch	W. R. Lyon	J. D. Wills
A. B. Holland	Harry J. Meyers	—29

Resolved, that the title thereof be as aforesaid.

Mr. Greene moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. William Duffy moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned to meet again Thursday morning, March 2nd, at 10 o'clock.